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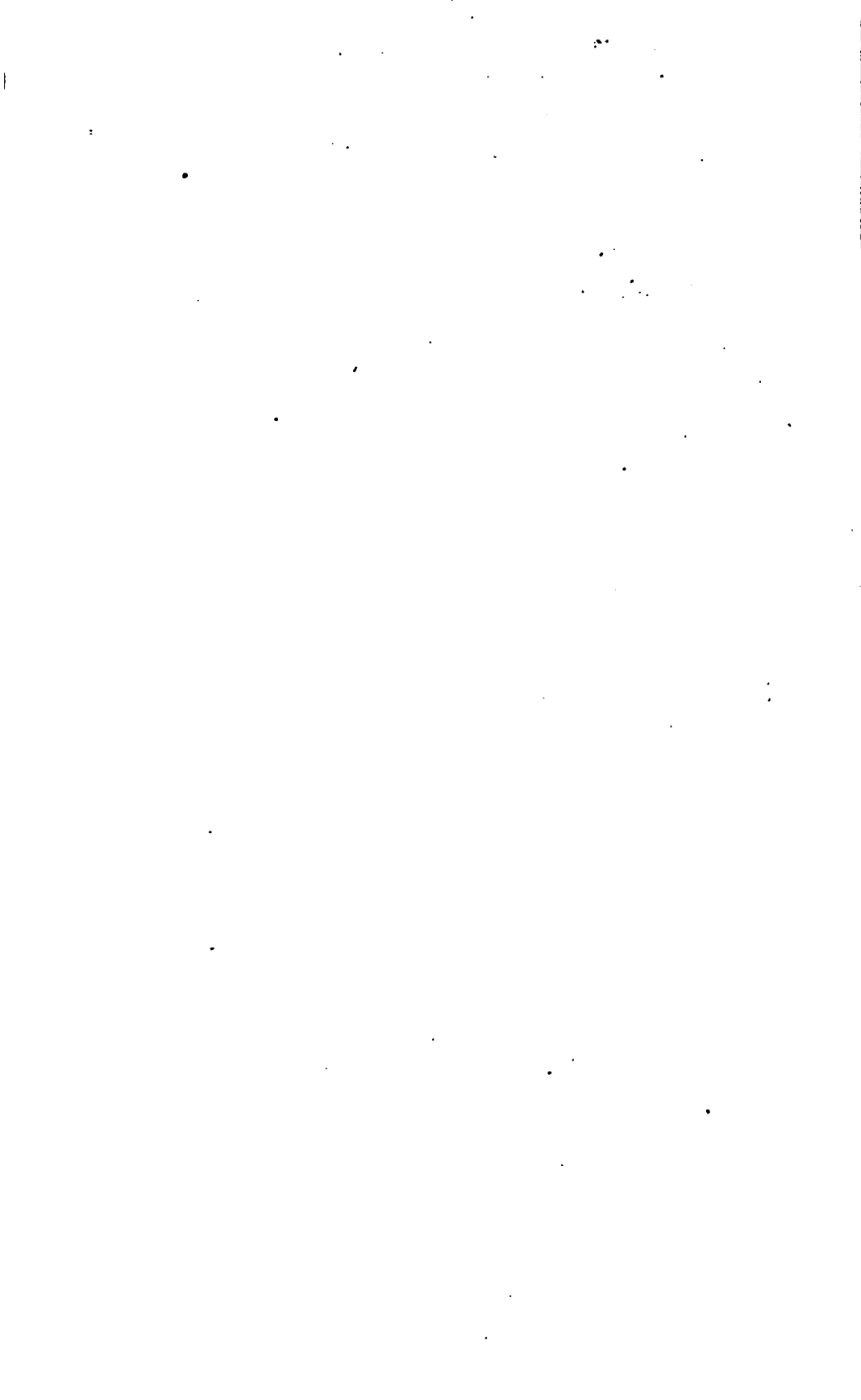
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TAIAROA, Mr. H. K., Southern Maori,

- Intestate Natives Succession Bill, Com. 559
- Native Grantees Bill, Com. 649
- Native Reserves Bill, 2*a.* 709
- Public Works Bill, 2*a.* 517
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- Class VI., 352, 367

TAKAMOANA, Mr. K., Eastern Maori,

- Native Grantees Bill, Com. 648
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- Class VI., 353, 367, 413

"Taranaki" and "Napier,"

- h.*, *q.* (Mr. Stafford), 583

Taupiri Burial-ground,

- h.*, *q.* (Mr. Nahe), 119

Tawanga Native Land,

- h.*, *q.* (Sir G. Grey), 736

TAWITT, Mr. H. K., Northern Maori,

- Supply—
- Class VI., 409, 412

To Aute College Estate,

- l.c.*, *q.* (Hon. Mr. Russell), 662

Telegraph Station at Upper Moutere,

- h.*, *q.* (Mr. Hursthouse), 119

Thames Harbour Board Bill,

- h.*, 3*a.* 258
- l.c.*, 1*a.* 326; 2*a.* 421; 3*a.* 608

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- h.*, *q.* (Mr. Nahe), 633

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- h.*, *m.* (Major Atkinson), 728

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THOMSON, Mr. J. W., Clutha,

- Abolition, *m.* 106, 292
- Clutha Railway Bridge, *q.* 437
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- Disqualification Bill, Cons. of Amend. 688
- New Zealand University Bill, 2*a.* 53
- Public Works Bill, 2*a.* 517
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- Com., 226
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- Waste Lands Bill, Com. 600
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Timaru and Gladstone Property,

- h.*, *q.* (Mr. Wakefield), 615

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- l.c.*, 1*a.* 326; 2*a.* 464; Com. 614, 629; 3*a.* 632

TOLB, Mr. J. A., Eden,

- Abolition Act, *m.* 115, 389
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- Auckland Beach Road Grants Bill, 2*a.* 566
- Beardon, J., *q.* 708
- East Coast Natives' Sheep, *q.* 676
- Manhood Suffrage Bill, 2*a.* 535
- Public Works Bill, 2*a.* 515
- Stitt, A., *m.* 263
- Triennial Parliaments Bill, 2*a.* 651
- Wynyard Pier, *q.* 382

TRIBE, Mr. G. H., Totara,

- Consolidated Fund, *m.* 511
- Gold Fields Act Repeal Bill, 2*a.* 564
- School Buildings, *m.* 713

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h., q. (Mr. Sheehan), 381

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h., 1R. 101; 2R. 274; 3R. 258
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"*Waka Maori*,"
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of Amend. 741, 749
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Timaru and Gladstone Property, q. 615

Wanganui Harbour Board Bill,
h., 3R. 258
l.c., 1R. 326; 2R. 428; Com. 506; 3R. 543

WABON, Mr. J. C., Coleridge,
Canterbury Railway Coal Charges, q. 615
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Wellington Corporate Lands Bill, 2R. 704

Wellington Cemetery,
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Wellington College Bill,
l.c., 3R. 4

Wellington Corporate Lands Bill,
h.; 3R. 633
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Wellington Debts Bill,
h., 3R. 101
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h., 3R. 258
l.c., 1R. 326; 2R. 503

Wellington Hospital and College Reserves Bill,
h., 2R. 258; 3R. 526
l.c., 1R. 543; 2R. 574; 3R. 608

Wellington Hospital Loan Bill,
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Wellington Loans Bill,
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h., *q.* (Sir R. Douglas), 552

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Mount Pisgah Water-race Company, *m.* 41

Native Reserves Bill, 2*r.* 709, 712

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Law Practitioners Bill, 2*r.* 92

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Waste Lands Bill, 2*r.* 621

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WOOD, Mr. R. G., Parnell,

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WOOD, Mr. W., Mataura,

Abolition Act, *m.* 289, 292

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Counties Bill, 3*r.* 84

Douglas Crown Grant Bill, 2*r.* 567

Financial Arrangements Bill, Com. 560

Manhood Suffrage Bill, 2*r.* 537

Public Works Bill, 2*r.* 541

San Francisco Mail Service, *m.* 312, 314

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Vogel, Sir J., Missions to England, *m.* 147

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WOOLCOCK, Mr. C., Grey Valley,

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Manhood Suffrage Bill, 2*r.* 533

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Stitt, A., *m.* 489

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h., *q.* (Mr. Tole), 382



NEW ZEALAND.

PARLIAMENTARY DEBATES.

First Session of the Sixth Parliament.

HOUSE OF REPRESENTATIVES.

Tuesday, 3rd October, 1876.

Otago Miners' Association—Public Works—Port Chalmers Wharf—Native Land Purchases—Counties Bill—Education Boards Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

OTAGO MINERS' ASSOCIATION.

Mr. PYKE asked the Premier—(1.) If the Government will take into favourable consideration the recommendation of the Gold Fields Committee, as set forth in a "Report on the Otago Central Miners' Association Correspondence," and appoint a Commission to inquire (during the recess) into the question of the validity of water licenses granted under the Gold Fields Acts in force, and the relations between licenses so granted and the ordinary riparian rights of landowners and others? (2.) Also, if the Government will further authorize such Commission to inquire generally into existing gold fields legislation, with the view of having a complete and comprehensive measure prepared, dealing with the question aforesaid? He might explain, in asking this question, that he did so in consequence of the recommendation of the Select Committee, which was based upon the consideration of the correspondence which had passed between the late Premier and the Otago Central Miners' Association. The correspondence of the Association contained a recommendation that a Commission should be appointed to inquire into the question of the validity of water licenses granted under the Gold Fields Act in force, and the relations between licenses so granted and the ordinary riparian rights of landowners and others, and also to inquire generally into existing gold fields legislation, with the view of having a complete and comprehensive measure prepared, dealing with the questions aforesaid. The Committee having considered this matter, recommended in their report that it should be done. He felt it to be his duty, as Chairman of that Committee, thoroughly agreeing with the report, to ask the

Hon. the Premier the question standing in his name.

Major ATKINSON, in reply to the honorable gentleman, might say that the Government would take these recommendations into their favourable consideration, without committing themselves to saying that they approved of the whole of them. They had not yet had time to consider the matter; but they were really desirous to meet the views both of the Committee and the miners on this question. Whether they would consider it necessary to appoint a Commission during the recess was a point which they had not yet decided. They would, at any rate, take such steps as they thought necessary in order to insure a properly-considered Bill being introduced to the House during the next session of Parliament.

PUBLIC WORKS.

Mr. REYNOLDS asked the Minister for Public Works, if he will inform the House when the Public Works Estimates are likely to be laid on the table? He said that honorable members generally would like to have the Public Works Estimates laid on the table at the earliest possible date.

Mr. RICHARDSON replied that the Public Works Estimates would be laid on the table on Monday next.

PORT CHALMERS WHARF.

Mr. REYNOLDS asked the Minister for Public Works, whether provision will be made for carrying out the recommendation of the Engineer-in-Chief with regard to wharf extension at Port Chalmers (page 35, Public Works Statement)? With regard to this question, the Engineer-in-Chief had reported that "The increasing traffic at Port Chalmers renders necessary a further extension of the wharves, and I recommend an expenditure of £30,000 for this purpose." In the Public Works Statement, page 9, there were various works referred to and recommended to be undertaken, but there was no notice taken of the expenditure of the £30,000 for this wharf. A reference was made to the construction of a new wharf at Onehunga. Now, it was a matter of considerable importance that at Port Chalmers there should be sufficient ac-

accommodation for shipping. Last summer there was very great lack of accommodation, and a large number of vessels had to lie out in the stream. There were eighteen or twenty English vessels in the port in the month of January last, and they could not get alongside the wharf to discharge or load cargo. He therefore hoped the Minister for Public Works would be able to give a favourable answer to the question.

Mr. RICHARDSON said this matter was still under the consideration of the Government. A very important question arose in reference to this matter. The Otago Harbour Board were incurring a very large expenditure, with the view of enabling large vessels to come from Port Chalmers to Dunedin. It was, therefore, a matter of very serious consideration to the Government whether they would be justified in incurring a large additional expenditure at the present time to improve the wharf accommodation at Port Chalmers, in the face of the enormous expenditure which the Otago Harbour Board were going to with the view of affording accommodation to shipping at Dunedin. On Monday next, when the Public Works Estimates were brought down, he would make a statement to the House, when he would be able to inform the honorable member of the final decision come to by the Government on this matter.

NATIVE LAND PURCHASES.

Mr. MURRAY asked the Government, If they will lay the report of Mr. Wilson, Land Purchase Commissioner, before this House before the close of the session? He asked this question with the view of reminding the Government of the promise made some time ago to lay this report on the table.

Major ATKINSON said the papers to which the question referred were being copied, and he was informed that they would be laid on the table of the House during the evening sitting.

COUNTIES BILL.

The House went into Committee on this Bill.

Clause 138.—Council may raise an ordinary loan.

Question put, "That the clause stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	26
Majority for	...	...	...	...	2

AYES.

Major Atkinson,	Mr. Pyke,
Mr. Bowen,	Mr. Reynolds,
Mr. Burns,	Mr. Richardson,
Mr. Carrington,	Mr. Seaton,
Mr. De Lautour,	Mr. Shrimski,
Mr. Dignan,	Mr. Shrimski,
Sir G. Grey,	Mr. Tole,
Mr. Hunter,	Mr. Thomson,
Mr. Kelly,	Mr. Whitaker,
Mr. Kennedy,	Mr. W. Wood,
Mr. Lumsden,	Mr. Woolcock.

Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,
Mr. Murray,

Tellers.
Mr. Larnach,
Mr. Reid.

NOES.

Mr. Baigent,
Mr. Barff,
Mr. J. E. Brown,
Mr. Bryce,
Mr. Curtis,
Sir R. Douglas,
Mr. Fisher,
Mr. Fitzroy,
Mr. Hamlin,
Mr. Henry,
Mr. Hursthouse,
Mr. Johnston,
Mr. Joyce,
Captain Morris,

Mr. Murray-Aynsley,
Mr. Nahe,
Mr. Rees,
Mr. Richmond,
Mr. Rolleston,
Mr. Sharp,
Mr. Stafford,
Mr. Swanson,
Mr. Teschemaker,
Mr. R. G. Wood.

Tellers.
Mr. Button,
Mr. Seymour.

The clause was consequently agreed to.

Clause 174. — Contracts exempt from stamp duties.

Question put, "That this clause stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	25
Majority against	...	...	...	...	3

AYES.

Mr. Baigent,
Mr. Ballance,
Mr. Bryce,
Mr. Carrington,
Mr. De Lautour,
Mr. Fisher,
Mr. Gibbs,
Mr. Kennedy,
Mr. Larnach,
Mr. Lumsden,
Mr. Montgomery,
Mr. Reid,

Mr. Sharp,
Mr. Shrimski,
Mr. Swanson,
Mr. Tole,
Mr. Thomson,
Mr. R. G. Wood,
Mr. W. Wood,
Mr. Woolcock.

Tellers.
Mr. Burns,
Mr. Murray.

NOES.

Mr. Andrew,
Mr. Barff,
Mr. Bowen,
Mr. Button,
Mr. Curtis,
Mr. Dignan,
Mr. Fitzroy,
Mr. Hunter,
Mr. Joyce,
Captain Kenny,
Mr. Manders,
Mr. G. McLean,
Mr. Murray-Aynsley,

Mr. Pearce,
Mr. Pyke,
Mr. Richardson,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Stafford,
Mr. Stevens,
Mr. Wason,
Mr. Whitaker.
Tellers.
Mr. Kelly,
Mr. Reynolds.

The clause was consequently struck out.

New Clause.—"The following persons shall be qualified to vote for members of the Council:—

"(1.) Every person of the full age of twenty-one years, whose name appears on the voters' roll of a riding of a county, shall be a voter of such county so long as such roll is in force.

"(2.) Every person whose name appears on the voters' roll shall be entitled to vote at every election occurring in the riding of the county in which he is enrolled according to the following scale, that is to say,—

"(a.) If his rateable property, whether in one or more tenements, is valued on the valuation roll as hereinafter provided at less than fifty pounds, he shall have one vote.

"(b.) If such property is so valued at not less than fifty but less than one hundred pounds, he shall have two votes.

"(c.) If such property is so valued at not less than one hundred but less than one hundred and fifty pounds, he shall have three votes.

"(d.) If such property is so valued at not less than one hundred and fifty but less than three hundred and fifty pounds, he shall have four votes.

"(e.) If such property is valued at three hundred and fifty pounds and upwards, he shall have five votes."

Mr. W. WOOD proposed to strike out all the words after the word "enrolled," in subsection 2, down to the words "three votes," in subsection c.

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	85
Noes	...	...	...	...	17
Majority for	...	...	...	...	18

AYES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. J. E. Brown,
Mr. Burns,
Mr. Button,
Mr. Curtis,
Mr. Dignan,
Sir E. Douglas,
Mr. Hunter,
Mr. Kelly,
Mr. Kennedy,
Mr. Larnach,
Mr. Lumsden,
Mr. Macfarlane,
Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,

Mr. Murray,
Mr. Murray-Aynsley,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Stevens,
Mr. Swanson,
Mr. Teschemaker,
Mr. Tribe,
Mr. Wason,
Mr. Whitaker.
Tellers.
Mr. Fitzroy,
Mr. Pyke.

NOES.

Mr. Baigent,
Mr. De Lautour,
Mr. Fisher,
Mr. Gibbs,
Sir G. Grey,
Mr. Hislop,
Mr. Hursthouse,
Mr. Joyce,
Mr. Nahe,

Mr. Seaton,
Mr. Shrimski,
Mr. Thomson,
Mr. Tole,
Mr. R. G. Wood,
Mr. W. Wood,
Mr. Woolcock.
Teller.
Mr. Rees.

The amendment was consequently negatived.

Mr. DE LAUTOUR moved the omission of the two last subsections of the clause.

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division took place, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	23
Majority for	...	...	...	...	9

AYES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. J. E. Brown,
Mr. Burns,
Mr. Button,
Mr. Curtis,
Mr. Dignan,
Sir E. Douglas,
Mr. Fitzroy,
Mr. Hunter,
Mr. Johnston,
Mr. Kelly,
Mr. Kennedy,
Captain Kenny,
Mr. Larnach,
Mr. G. McLean,

Mr. Murray,
Mr. Murray-Aynsley,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Stafford,
Mr. Stevens,
Mr. Teschemaker,
Mr. Wason,
Mr. Whitaker.

Tellers.

Mr. Macfarlane,
Mr. Montgomery.

NOES.

Mr. Baigent,
Mr. Ballance,
Mr. Fisher,
Mr. Gibbs,
Sir G. Grey,
Mr. Hislop,
Mr. Hursthouse,
Mr. Joyce,
Mr. Lumsden,
Mr. Manders,
Mr. Nahe,
Mr. Rees,

Mr. Richmond,
Mr. Seaton,
Mr. Shrimski,
Mr. Swanson,
Mr. Tole,
Mr. Thomson,
Mr. R. G. Wood,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. De Lautour,
Mr. Pyke.

The amendment was consequently negatived, and the clause agreed to.

Progress was reported, and leave given to sit again.

EDUCATION BOARDS BILL.

The House went into Committee on this Bill.

Clause 5.—Who to be members of Board.

Mr. J. E. BROWN proposed, That the name of Thomas Williamson Hall, Esquire, be added to the 5th subsection of the clause.

Question put, "That the name of Thomas Williamson Hall, Esquire, be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	12
Majority for	...	...	...	...	22

AYES.

Major Atkinson,
Mr. Baigent,
Mr. Barff,
Mr. Bowen,
Mr. J. C. Brown,

Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,
Mr. Moorhouse,
Captain Morris,

Mr. J. E. Brown,
Mr. Burns,
Mr. Button,
Mr. Curtis,
Mr. De Lautour,
Mr. Dignan,
Sir R. Douglas,
Mr. Gibbs,
Mr. Hislop,
Mr. Hunter,
Mr. Joyce,
Mr. Kelly,
Mr. Lumsden,

Mr. Pyke,
Mr. Reynolds,
Mr. Richardson,
Mr. Rolleston,
Mr. Seaton,
Mr. Stevens,
Mr. Tribe,
Mr. Whitaker,
Mr. W. Wood.

Tellers.

Mr. Fitzroy,
Mr. Teschemaker.

NOES.

Mr. Andrew,
Mr. Fisher,
Mr. Harper,
Mr. Kennedy,
Mr. Macfarlane,
Mr. Murray,
Mr. Murray-Aynaley,

Mr. Stafford,
Mr. Thomson,
Mr. Wakefield.

Tellers.

Mr. Rowe,
Mr. Seymour.

The amendment was consequently agreed to.
Mr. ANDREW proposed, That the name of the Rev. George Barclay be added to the same subsection.

Question put, "That the name of the Rev. George Barclay be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	22

Majority against...	...	...	...	6
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AYES.

Mr. Barff,
Mr. J. C. Brown,
Mr. Curtis,
Mr. De Lautour,
Sir R. Douglas,
Mr. Gibbs,
Mr. Hislop,
Mr. Joyce,
Mr. Kennedy,

Mr. Lumsden,
Captain Morris,
Mr. Seaton,
Mr. Shrimski,
Mr. Wakefield.

Tellers.

Mr. Andrew,
Mr. Button.

NOES.

Mr. Baigent,
Mr. Ballance,
Mr. Bowen,
Mr. J. E. Brown,
Mr. Fisher,
Mr. Hunter,
Mr. Kelly,
Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,
Mr. Moorhouse,
Mr. Reid,

Mr. Reynolds,
Mr. Richardson,
Mr. Rowe,
Mr. Seymour,
Mr. Stevens,
Mr. Thomson,
Mr. Whitaker,
Mr. W. Wood.

Tellers.

Mr. Murray-Aynaley,
Mr. Pyke.

The amendment was consequently negatived, and the clause as amended agreed to.

Clause 20.—No property, household, or capita-
tion rate to be levied after Act comes into opera-
tion.

Mr. BOWEN moved, That the following words
be added, after the word "rate:" "except capita-
tion rate for children."

Question put, "That the words proposed to be

added be there added;" upon which a division
was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	17

Majority for	...	...	...	10
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AYES.

Major Atkinson,
Mr. Bowen,
Mr. J. C. Brown,
Mr. Burns,
Mr. Button,
Mr. Dignan,
Mr. Gibbs,
Mr. Harper,
Mr. Hislop,
Mr. Hunter,
Mr. Kelly,
Mr. Kennedy,
Mr. G. McLean,
Mr. Murray,

Mr. Murray-Aynaley,
Mr. Pyke,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Seaton,
Mr. Seymour,
Mr. Thomson,
Mr. Tribe,
Mr. Whitaker,
Mr. Woolcock.
Tellers.
Mr. Andrew,
Mr. Lumsden.

NOES.

Mr. Baigent,
Mr. Barff,
Mr. J. E. Brown,
Mr. Bryce,
Mr. De Lautour,
Sir R. Douglas,
Mr. Fisher,
Mr. Fitzroy,
Captain Morris,

Mr. Rees,
Mr. Rowe,
Mr. Stevens,
Mr. Swanson,
Mr. Teschemaker,
Mr. Tole.
Tellers.
Mr. Montgomery,
Mr. Rolleston.

PAIRS.

For.

Mr. Cox,
Mr. Macfarlane.

Against.

Mr. Sheehan,
Mr. Wason.

The amendment was consequently agreed to.

The Bill was reported with amendments, and
read a third time.

The House adjourned at twenty minutes past
one o'clock p.m.

LEGISLATIVE COUNCIL.

Wednesday, 4th October, 1876.

First Reading—Third Reading—Agent-General—Personal
Explanation—Debtors and Creditors Bill.

The ACTING-SPEAKER (the Hon. Major Rich-
mond, C.B.) took the chair at half-past two
o'clock.

PRAYERS.

FIRST READING.

The Education Boards Bill.

THIRD READING.

The Wellington College Bill.

AGENT-GENERAL.

The Hon. Mr. WATERHOUSE asked the
Hon. the Colonial Secretary,—(1.) From what date
the Hon. Sir Julius Vogel will commence to draw
salary as Agent-General? (2.) Whether or not

the Government is to pay the cost of passage to England of Sir Julius Vogel and his family? (3.) Whether or not travelling allowances will be paid during the voyage; and, if so, at what rate per diem? (4.) Whether or not the Agent-General will be required to devote the whole of his time to the duties of his office? (5.) Whether or not he will be called upon to find security for the discharge of his duties? He asked these questions without wishing to offer any disrespect to Sir Julius Vogel, but with the view of eliciting information on the points on which it was usual to obtain information, and which he thought it would be satisfactory to the Council to obtain. As regarded the first three points, which he would class together, he might state what was his object in asking the question in that particular form. He believed that the Agent-General in the matter of travelling allowances ranked with Ministers, and that his travelling allowances were upon the same scale. He asked the question because he thought the system was open to some objection, and he wished, by eliciting information on the subject, to draw attention to the fact that under the existing system of travelling allowances, it would be found—and he did not speak without warrant—that a person in the position of Sir Julius Vogel would be entitled to draw his salary from the time of his appointment, and during his voyage to England. He would ordinarily, and he (Mr. Waterhouse) considered properly, have a certain allowance made for travelling expenses for himself and family to Europe. To either of these points he took no exception whatever; but, in accordance with the system at present in force, he would likewise be entitled to a travelling allowance of four guineas in addition to his full salary. He asked the questions with a view to directing attention to a practice which he thought required amendment. With regard to the fourth question, when Sir Julius Vogel was in the Government, he himself laid down the rule that the Agent-General should not be employed in any other way than in connection with the duties of his office; and, as honorable members would recollect, in consequence of that the Agent-General applied to withdraw from his position as Director of the National Bank. He thought this would be considered a proper question, particularly under the peculiar circumstances in which Sir Julius Vogel was going Home as Agent-General; and he thought it very desirable that the Council should be informed whether the same rule would be applied to this appointment as to the last one. The last question referred to the finding of security. He found that in the Parliamentary Papers laid before them, the Government, of whom Sir Julius Vogel was the head, in reference to the Crown Agents of the colony, stated,—

“That, without implying anything against the honor of the present occupants of the office, the Government are of opinion that they are not justified in continuing to place such responsibility in the hands of any two gentlemen who might hold the position, without having any guarantee from the Imperial Government or any substantial security.”

He believed the universal practice of the other colonies was that the Agent-General found security for the performance of the duties of his office. He could speak positively with regard to South Australia, whose Agent-General was required to find very substantial securities.

*The Hon. Dr. POLLEN said that the answer of the Government to the first question was, that Sir Julius Vogel would commence to draw his salary from the date of his acceptance of the office. With respect to the second question, he might say that the Government was to pay the cost of his passage; and he might observe, in connection with that reply, that when the appointment was first offered to Sir Julius Vogel it was offered to him on the same terms and conditions as it had formerly been offered to Dr. Featherston. Upon looking into the whole question of allowances and expenses attendant upon that first appointment, it was found that they were very much in excess of what it appeared to the Government necessary to incur at present, and an arrangement of a much more reasonable and economical character had been made with respect to Sir Julius Vogel in the present instance. The answer to the next question was that no travelling allowances would be paid during the voyage. With respect to the fourth question, the Government would expect the Agent-General to devote the whole of his time to the duties of his office. With respect to the fifth question, there appeared to the Government no reason why Sir Julius Vogel should be treated in a different way from what the former Agent-General was treated with regard to finding securities; it was not proposed to ask for any such security.

The Hon. Mr. MENZIES asked the Colonial Secretary to explain more particularly his reply to his second question. That was with respect to the more economical mode in which Sir Julius Vogel's family were to be conveyed Home.

*The Hon. Dr. POLLEN referred to the total amount of cost. Dr. Featherston remained in the colony for two or three months after the appointment was made, and a certain amount was set apart for the passages of his family and himself. He was also allowed to draw travelling allowance during the whole time. All this would be altered in the present case, and the allowance now was a fixed sum. He could not mention the particular amount at present, but he could assure the Council that they would regard it as a reasonable amount, and as being less than in the case of the first appointment.

PERSONAL EXPLANATION.

The Hon. Mr. WATERHOUSE.—Sir, before proceeding to the ordinary business, I wish to make a few observations of a somewhat personal character, though they may be generally interesting to the Council. With a view to putting myself in order, I shall move, That the House at its rising do adjourn till to-morrow at half-past two o'clock. My object in rising is to call attention to a misunderstanding that has most unfortunately arisen during the last few days, and which has served more or less to embitter the tone of our discussions in reference to the con-

duct of the business of this Council. In previous discussions upon the subject I have not been in a position to fortify myself with any authoritative statement of what took place on the 27th September, when the Hon. Mr. Hall undertook the charge of the Government business in this Council, during the absence of the Hon. Dr. Pollen. To-day, for the first time, a copy of *Hansard* containing an account of what took place on that occasion has been placed in my hands, and I am now in a position to discuss the matter with a full and accurate account of what took place. The cause of the misunderstanding that exists between the Hon. Mr. Hall, myself, and others is attributable to the fact that honorable members' memories do not serve them equally well as to the circumstances that occurred on the day on which the Hon. Mr. Hall took charge of the Government business. I will now state from *Hansard* exactly what took place, and honorable members will then be in a position to judge for themselves as to whether the view I have taken upon this subject is the correct one or not. This day week, the Hon. the Speaker communicated to us the fact that the Hon. Dr. Pollen was indisposed. Upon that occasion you, Sir, in a very proper manner rose in your place in the House, and, with a view to expedite the conduct of business at this advanced period of the session, suggested that the business on the Order Paper should be proceeded with, and you added that "the Council would, no doubt, feel grateful if the Hon. Mr. Hall would undertake to conduct the business on behalf of the Government." When that proposition was made, the Hon. Colonel Whitmore rose, and took exception, on constitutional grounds, to the business being proceeded with in the absence of a Ministerial representative, inasmuch as he stated that it would be hardly fair to hold the Government responsible for the action of any honorable gentleman whom we might ask to conduct the business of the Council. Upon that the Hon. Mr. Hall rose and stated that he had that day seen the Hon. Dr. Pollen, who had expressed his "very great regret at the unavoidable delay which had taken place in the business, and asked him (Mr. Hall) if he would undertake to conduct through the Council the formal business of the Government—that business not involving questions of policy, and upon which no serious discussion would arise. He agreed to do so, if it were the wish of the Council. Any question involving a grave matter of policy he would, of course, not ask the Council to proceed with. He hoped the Council would understand that he would only conduct the business for the Government if it was the wish of the Council." There are two points in these remarks to which I wish to draw special attention. The first is the honorable gentleman's own statement that he had been requested by the Hon. Dr. Pollen to undertake to conduct through the Council the formal business of the Government. It will be seen that there is here no assertion of the fact that in the course of the discussion there would be a certain amount of Ministerial responsibility arising from his conducting the business, such as we understood the

honorable gentleman last night to state would be the case. On the contrary, the fair inference from these words, and, to my mind, the only inference to be drawn from these words, is that he would conduct only the formal business of the Government, reserving all matters involving questions of policy, or any matters upon which serious discussion would arise, and which would necessitate the presence of a Ministerial representative in our midst. The second point to which I wish to draw the attention of the Council is this: that the offer of the honorable member was "to undertake the conduct of business not involving serious questions of policy. He agreed to do so if it were the wish of the Council. Any question involving a grave matter of policy he would of course not ask the Council to proceed with." The honorable gentleman was followed by the Hon. Mr. Menzies; and here I may remark that the latter honorable gentleman does not appear on this occasion to have made use of some observations that were made on a former occasion, and which I referred to yesterday. The honorable gentleman simply suggested the propriety of proceeding with the business on the Order Paper, and stated that there was no one who would fall more naturally into the place of the Colonial Secretary than the Hon. Mr. Hall. I followed the Hon. Mr. Menzies, and stated that I would not oppose the proposal to proceed with the Orders of the day, provided it were understood that matters likely to involve the policy of the Government, or to lead to much difference of opinion amongst ourselves, should be postponed till a representative of the Government was present. Nothing more took place upon the subject, and, with the general concurrence of honorable members, the Hon. Mr. Hall proceeded to take his place upon the Government benches, and to conduct the business of the Government. Now, it is quite clear—and I do not think any honorable member will attempt to controvert the assertion—it is quite clear that upon this occasion there was a distinct understanding that no business involving questions of policy, or upon which serious discussion would arise, should engage the attention of the Council. That cannot for a moment be doubted. It was in the nature of a distinct understanding; and, when an honorable member makes such an offer to the Council, I regard it as I would regard an offer made in private life. That being the undoubted state of the case, I now proceed to the next step. On Thursday, we had disposed of various matters on the Order Paper, when, in the course of business, you, Sir, called upon the next Order of the day, which was the Public Works Bill. The Hon. Mr. Hall then got up in his place, and expressed his readiness to proceed with the Bill if the Council desired that he should do so. Evidently he regarded it as being of a somewhat different character from the other matters which had engaged the attention of the Council; and so far the honorable gentleman was undoubtedly correct. A discussion arose upon this question forthwith. I cannot exactly remember whether many honorable members spoke upon the subject, but I have a very distinct

remembrance of the nature of the discussion itself, in which I, the Hon. Colonel Whitmore, and some other honorable members took part. It was objected that the Bill ought not to be proceeded with in the absence of a Ministerial representative, as it involved the most important question of public policy before the Council at that time. It had not been considered elsewhere, and a great amount of discussion was likely to arise. These were the objections urged against proceeding with the Bill; and after they had been urged, the matter was put to the vote, when, by the casting vote of the Speaker, it was decided to continue the discussion. I do not wish to say a single word to aggravate any honorable member in this discussion; but I think honorable gentlemen will recognize that there was, in the first case, a distinct understanding that questions affecting the policy of the Government, and questions calculated to create considerable discussion, should not be brought forward, and that afterwards that agreement was broken. I shall say no more; but I think those two facts cannot fail to put me right, and those with whom I am acting, in the estimation of honorable members.

The Hon. Mr. MENZIES.—Sir, if no other honorable members desire to address the Council, I shall make a few remarks upon the subject. I think, first of all, it would be well to refer to one's former understanding. After having looked over the report that appears in *Hassard*, I hold it entirely bears out the view which I expressed last night in Committee, and which is very nearly identical with that which the honorable member who lately represented the Government, Mr. Hall, has expressed on more than one occasion. The honorable gentleman placed himself in the hands of the Council; but questions which involved the policy of the Government, and clauses of Bills which involved the policy of the Government, he was willing to postpone. That is the course which, so far as I can see, the honorable member adopted during the extremely long discussions that have taken place upon the few clauses which were under consideration during the two last evening sittings of last week, and on Monday evening. I altogether dissent from the view that the action which has been taken in any way infringes the understanding, so far as I comprehend the term, into which the Hon. Mr. Hall entered on Wednesday afternoon: for it will be remembered that the evening sittings of Thursday, Friday, and Monday were nearly all occupied with the consideration of a very few clauses of the Public Works Bill. If my recollection serves me right, the Committee on Thursday afternoon began the consideration of the Bill at clause 89, and in the course of three evening sittings it arrived at clause 111. The honorable gentleman who has just sat down complained that large questions of policy, and clauses contained in a Bill of very great importance, were being treated in a manner contrary to the understanding which had previously been arrived at, to the effect that serious questions of policy which were contested should be postponed. If any honorable members will look at the alterations made, and remember the debates on the various

clauses as they came forward in succession, they will see that the alterations are of very little importance, are mostly as to matters of detail, do not in any way involve questions of privilege, and did not deserve the very prolonged consideration given to them, and the manner in which it was given. The Council will very well remember that these questions were debated, not merely clause by clause, not merely paragraph by paragraph, or subsection by subsection, but almost line by line; and they will remember that the very few members who apparently combined to arrest the progress of the Bill in that way seemed to hail with delight any question that arose which was likely to lead to a general discussion on the most trivial points. The impression left upon the minds of members of the Council was, not that any great constitutional question was being fought out, but that some little matter of personal pique instigated certain members of the Council to arrest the progress of the Bill, till a certain amount of unpleasantness—I might almost say insult—was inflicted upon the honorable member who represented the Government. The action taken for several evenings was not an action which is very common in this Council; and I think that in the experience of any honorable member it will be found that, with hardly an exception, questions which have been brought up have been discussed on their merits. Sometimes honorable members may have party feelings in considering a particular question, but it is very rarely indeed that any except new members have any party feelings; and new members, soon after coming into the Council, cease to continue to hold them. The general rule will apply that all questions are considered upon their merits; but it was painfully evident that in the course of the discussion which occurred on the clauses to which I have referred on the nights I have mentioned, debate was not raised at all upon questions of principle or upon the merits of the Bill, but simply upon matters of personal pique. Honorable members who carried on the opposition to these clauses professed to represent the views of the Council; but upon different occasions, when they had an opportunity of testing that, they very carefully abstained, in a manner which was very stingingly referred to last night, from taking the decision of the Committee. The honorable member who sat down just now referred to this understanding as being binding on the Hon. Mr. Hall on the one part, and on the persons who accepted it on the other. But, Sir, who accepted that understanding? Surely my honorable friend Mr. Waterhouse does not profess to stand forward as representing the Council upon such an occasion. I apprehend, as I said last night in Committee, that each individual member might agree to an understanding to a greater or less extent, as he pleased; and the result of the understanding of the Council, and the nature of the agreement, could very easily be tested by a division: and any decision thus arrived at would at once ascertain whether the Hon. Mr. Hall was really carrying out the pledge which he had given individually to agree to the wishes of the

Council and to be guided by them. The conclusion to which I think most of the members of the Council must have come upon this subject is that really it was not so much a profound belief that a departure had been made from the general understanding which had been come to; but some minor circumstances which might have created an undercurrent of feeling which had produced the action, the obstructive action—I may be pardoned for calling it obstructive—I say so because I believe it—which marked the conduct of honorable members. Sir, I will take the liberty of digressing from this question to one more special to myself. The Hon. Mr. Robinson the other evening charged me with having been similarly obstructive in respect to a different matter upon a former occasion; but he spoke in so good-humoured a tone that no one could take offence at his strictures. I think, if the honorable gentleman had been in the Council constantly and regularly during the debate on the New Zealand University Bill, he would have seen that the opposition was to certain clauses only; and after having debated the 2nd and 3rd clauses, and a new clause, a single division was taken on each, and I withdrew all further opposition. I think, Sir, that is a very different course from deliberately obstructing a Bill by opposing not only clause after clause, but section after section and line after line, and discussing a question for it might be an hour. Probably if the honorable member had been in his place, and not fitting about backwards and forwards from the Council Chamber to other places, he might have seen that the parallel did not hold. The truth is that the honorable member had been like a lovely, gay humming-bird, flitting about from flower to flower, sipping honey from each, and has been spasmodic and intermittent in his attendance in the Council Chamber, or he would have observed that the opposition which he censures was only with regard to certain principal points, and was not at all of a factious character. I do not mean to blame the honorable member for not being constantly in the Council. There might be other places in which he might find greater attraction, even as a humming-bird might find the honey sipped from one flower much more attractive than that sipped from another. If the honorable gentleman's attendance here had been more regular, he would have noticed, in respect to that matter to which he had referred, that there was nothing more than legitimate opposition to the Bill. I do not know whether I should say much more with regard to the action that has been taken, if it were not that the honorable gentleman who has just addressed the Council upon a former occasion applied an expression to my honorable friend Mr. Hall which I think he was not justified in using. I was not present at the time, but I find from the report that he charged the honorable member with a breach of faith, and complained of having been entrapped, which, I submit, he was not justified in doing. And I further say that, if he supposed such an accusation really would hold, he showed a very considerable amount of bad taste in referring to it in such a way; because it appears to me, Sir, if any

member of this Council is bound to talk in moderate and forbearing language it is that honorable gentleman, when he considers that he most of all the members of this Council is indebted to the Council for the forbearance it has shown towards himself in reference to action of his that might have laid him open to very severe remarks and caustic criticism. The honorable gentleman, at all events, should not be too ready to take up reproach against another honorable member, even if he supposed he was open to criticism.

The Hon. Colonel WHITMORE.—Sir, I had hoped we should not have had this discussion to-day. Last night I deprecated its renewal, and honorable gentlemen will give me at least credit for having been sincere when I said then that I hoped that would be an end of it. However, the Hon. Mr. Waterhouse has his own reasons for bringing the matter forward, and I had intended to have allowed him to be answered by the Hon. Mr. Hall, if he had any answer; and if not, to have let the subject drop. The Hon. Mr. Hall did not take up the glove himself, but put forward another champion.

The Hon. Mr. HALL.—The honorable gentleman is mistaken. I intend to address the Council before the debate closes.

The Hon. Colonel WHITMORE.—The Hon. Mr. Hall did not pick up the glove himself, but another champion came forward for him; and, we have been treated to a speech which, I am thankful to say, has very seldom been equalled in this Council for irritating—I will not use the word "offensive"—but irritating and unpleasant remarks about other honorable gentlemen, and a series of imputations of motives which the honorable gentleman, in my opinion, had not the smallest right to make. Last night the honorable gentleman made a speech of a somewhat similar character, and I took no notice whatever of his remarks. Several honorable gentlemen asked me why I allowed them to pass without any observations; and I said because I hoped, by showing moderation myself, that I might induce that honorable gentleman to desist from a course which has recently become very disagreeable, and which he appears to me to be continually adopting. For that reason, I took no notice of the remarks, however unpleasant to me, he made last night, and passed on and answered the Hon. Mr. Hall. To-day several honorable members showed him, I think, while he was speaking, that what he was saying was disagreeable to them. One or two proposed to interrupt him, but he has been allowed to say all he had to say. I only hope he may not be answered in the same tone as he has spoken. I wish to draw his attention to this circumstance: that perhaps he has no idea himself how offensive were some of the advice he gave and some of the remarks he made. For instance, he has been lecturing us upon our bad taste, upon our personal pique, and upon our obstructive action, upon being banded together, taking action not based upon principle, and so on. Now, in all he has said, if he only said it to annoy and affront, I should at another time not have allowed his remarks to pass in this Council without challenging them, and requesting the

Speaker to interfere; because, if our discussions are to assume that character, two can play at that, and the honorable gentleman can be answered in the same way if it is desirable. But as I think it is not desirable, I hope the good sense of the Council will stop the honorable gentleman. I have had several occasions this session to complain of the way in which the honorable gentleman has spoken, sometimes personally towards myself, and sometimes towards other people. But the honorable gentleman says these things in an unimpassioned quiet tone that does not suggest at first that he speaks from any very strong feeling; and it is not until now, when it has got so bad, that I am obliged to complain. The honorable gentleman should remember that humour is not given to every one. Wit would not be valued if it were epidemic upon the population; and awkward stilted jokes from people with no sense of humour are exceedingly disagreeable. I dare say the Hon. Mr. Robinson knows how to give the honorable member an answer that may suit him, but he was making some little jokes about my honorable friend. I take some of those little jokes to affect myself. The Hon. Mr. Robinson has possibly offended the honorable gentleman by going out occasionally to smoke or do something else when one of those extraordinarily long, wearisome, and monotonous speeches about the University Bill were being made by the honorable gentleman. I have no doubt he did do so, and I have done so too; and in fact, whenever I hear the honorable gentleman on that and one or two kindred subjects in which I do not usually interest myself very much, I also go out and wait until he is done. There is no great harm in that. Everybody has not got so versatile a mind as to be able to give useful attention to every subject that can possibly be brought before Parliament; and sometimes we can consider what we are going to do about something else better in another room, where we are not disturbed by a speech upon a subject with which we are not acquainted; and I have very often gone away on that account. I am not aware that there was any combined action in this matter at all. There was certainly no opposition in the proper sense of the word "opposition." There was no doubt a great inclination to allow the Bill to be proceeded with. The honorable member says we ought to have been satisfied with one division. We were not satisfied with one division; we took a great many divisions, and once the Hon. Mr. Waterhouse declined to divide. There was only one division that I am aware of that he declined to take, and that particular division was not taken, not because the Hon. Mr. Waterhouse and those who were of the same opinion were afraid to divide, but for a totally different reason. It was because quite a different issue was raised—an issue which was raised by the last speaker, and thrown down on the floor of the House; and we were challenged to vote upon a subject which had no relation whatever to that which had engaged our attention before. What we were asked to vote upon was whether or not the Council approved of the Hon. Mr. Hall. That honorable gentleman made an

appeal to us about his long services, and asked us whether we were or were not—

The Hon. Mr. HALL.—The honorable gentleman is not correct. I made no appeal about my long services. I beg he will be accurate when speaking of me. I did not make any appeal.

The Hon. Colonel WHITMORE.—The honorable gentleman said—and I think the recollections of other honorable gentlemen will bear me out—that he had been twenty years in Parliament.

The Hon. Mr. HALL.—Hear, hear.

The Hon. Colonel WHITMORE.—Am I correct in saying that was not a long service?

The Hon. Mr. HALL.—I never made any appeal on account of my services. I was complaining that something had been done to me which I said had never been done to me during the twenty years I had sat in Parliament.

The Hon. Colonel WHITMORE.—The honorable gentleman may not call that an appeal. I say the honorable gentleman discoursed for some time upon a matter perfectly personal to himself, and during that discourse he alluded to the circumstance—if he does not like the word "appeal"—that he had sat for twenty years in Parliament. He did not intend to ask honorable gentlemen to vote on the subject, but to vote whether or not they approved of him in the action he had recently taken. During the course of his remarks he had said he would first go on with the Municipal Corporations Bill, which was all the Hon. Mr. Waterhouse had asked for. So the Hon. Mr. Waterhouse, probably not wishing to express any opinion in relation to the Hon. Mr. Hall, and being quite satisfied to know that the Public Works Bill was not going to be proceeded with until the Municipal Corporations Bill was finished, rose in his place and said that, as he appeared to have gained his object, he would not trouble the Council to take a vote. Now the Hon. Mr. Menzies has upon several occasions taunted the Hon. Mr. Waterhouse, myself, and others who have voted in the same way, with not daring to take up the challenge. That was what he calls not daring to take up the challenge! Upon what one clause, and upon what one amendment, did we not accept the challenge? Sometimes, to save time when we were in a minority, we did not challenge a division. As a rule, the divisions were challenged by the other side, and as a rule they were won by us, and the majorities on the other side were usually one or two. Every amendment nearly upon which we put any stress has been carried, and the clauses which we wished to amend have either been postponed or amended as we wished. Consequently, no person has any right to say that our arguments had no reason in them at all, and were purely advanced for the purpose of obstructing the business. Our desire was to be careful with this Bill, and very careful; because until last night we did not know that the Government would be responsible for the concessions that were made. If the Hon. Mr. Hall agreed with us in an amendment, it did not follow that the Government would support it in another place. Last night that was told to us, and the result was that we got through a few

more clauses than usual. The Hon. Mr. Menzies said that the clauses over the discussion of which so much time was spent are very unimportant clauses. I say, on the contrary, that they are the most important clauses in the Bill. They are clauses which touch us, and as to which our experience would be most useful. Most of us being country residents, and having had considerable experience of Road Boards and road matters, having every year to put our hands pretty liberally into our pockets to promote the traffic of our neighbours, they were just the very clauses in which honorable gentlemen were most likely to take an interest. And I think the result of our discussions has been to show that we did understand the subject, and that we brought experience to bear, which the drawer of the Bill, however successful he has been in framing it in other respects, could not be expected to have. The Hon. Mr. Menzies said that he complained of the obstruction at the time. As I said before, I am not going to follow him in imputing motives or giving disagreeable reasons for his action. But I have this to say: that I do not think one amendment was brought forward or one subject raised for discussion upon which that honorable gentleman did not speak at least three times as long as any other member of the Council. He spoke on every subject without fail, and with a consistency which, I think, could hardly be exceeded; and I think he voted sometimes one way and sometimes the other. If there was nothing to speak about, upon what ground did the honorable gentleman open his mouth at all? If it were purely a factious opposition to the passing of that Bill and those clauses—if it were only done to waste time—why did the honorable gentleman allow himself to be seduced into following our example? Why did he speak at all if there was nothing to speak about? If our amendments were foolish, and only proposed for the purpose of wasting time, why did the honorable gentleman throw himself into the fray? The fact of the matter was that there was something to argue and something to consider; and I dare say that in one or two instances we were beholden to the honorable gentleman for the remarks he made during his addresses to the Council. What I demur to is not to his speaking—he has a right to speak as he pleases, and as long as he pleases—but he has not got a right afterwards to say that the subjects of discussion were puerile, unworthy of attention, only raised for an obstructive purpose, and to delay business, when he himself entered into those discussions upon every occasion. I hope we shall not, for the future, fall into the habit of bringing such accusations as the honorable gentleman has brought against several members, chiefly sitting on this side of the House, who were influenced only by a desire to try to amend and improve the Public Works Bill.

* The Hon. Dr. GRACE.—I would like to say one word in reply to the Hon. Mr. Waterhouse's remark that the memory of honorable members did not seem to serve them equally well in regard to this matter. I was present during the whole time, and the impression upon my mind, from

what the Hon. Mr. Hall stated, was that, whereas he was under the impression that an agreement had been entered into, that impression was not so generally entertained by the Council. I noticed that, when the Hon. Mr. Hall was explaining the kind of charge that he was prepared to take of Government business, and the limitation which he would put to his responsibility, he said, as I thought very cleverly qualifying his previous statement, that in all these matters he would place himself in the hands of the Council. I therefore understood clearly that no definite compact, agreement, or understanding had been entered into by the Council as such. That was the interpretation I put upon the explanatory language that passed between honorable members on that occasion. For my own part, I was so desirous that the public business should be proceeded with, that I was certainly no party to any agreement by which the business of the country should be checked for what appeared to me to be immaterial reasons. It appeared to me that on the Public Works Bills no serious discussion ought really to have arisen. There was no great or important principle at stake; and I could not understand a certain warmth of feeling which grew out of it, and which seems to have lived to this moment. I could not trace that warmth of feeling at all to the special gravity of the portions of the Bill which we were at the time considering. I have but one word more to say with reference to what was stated by the Hon. Colonel Whitmore, when he alleged that the Hon. Mr. Hall had made an appeal to this Council when he alluded to his twenty years' service in Parliament. It is only fair to bear in mind that such reference was essentially collateral—essentially an unimportant section of the argument which the honorable gentleman submitted to the Council at the time. The Hon. Mr. Waterhouse had made an attack upon the honorable gentleman which appeared to me to be unusually severe, and very uncalled for, when, drawing a glowing picture of the virtues, amiability, business capacity, and modesty of demeanour of the Colonial Secretary, he contrasted his conduct of public business with that of the Hon. Mr. Hall, in a manner rather unfavourable to the latter. It is clear to me that the Hon. Mr. Waterhouse overrated the whole difficulty of the position. The Hon. Mr. Hall, in replying to the honorable gentleman, said,—

"Inasmuch as it has now been made a personal matter between the Colonial Secretary and me—inasmuch as it had been alleged practically, and in so many words, that I am not fit to conduct the business of the Council, I hope that honorable gentlemen, in order to relieve me from such a position, will allow this matter to go to a division, in order that I may know whether I am to receive the support of the Council or not."

The Hon. Colonel WHITMORE.—Hear.

* The Hon. Dr. GRACE.—My honorable friend says "Hear." I would draw his attention to this fact: that, for all practical business purposes, the Hon. Mr. Hall merely stated that he had been twenty years in this Legislature without any such attack having been made upon him.

How was it possible for the Hon. Mr. Hall to conduct the business of this Council without receiving reasonable support, under such circumstances? I only address myself to the subject for the sake of making it clear, and in justice to the Hon. Mr. Hall. My honorable and gallant friend said that the Hon. Mr. Menzies had taken exception to honorable members leaving the Council. I will draw his attention to this fact: that when the Municipal Corporations Bill came on at the desire of honorable members on the other side, I looked round, and I found that the honorable gentlemen who had advocated the consideration of the Bill had gone.

The Hon. Colonel WHITMORE.—I was not away.

The Hon. Dr. GRACE.—The honorable gentleman amongst others was gone.

The Hon. Colonel WHITMORE.—I was here the whole time.

* The Hon. Dr. GRACE.—After that emphatic statement, all I can say is that my eyes are at fault; I did not see the honorable gentleman. Be that as it may, I merely wish to point out that considerable pressure was brought to bear on the Council to induce it to discontinue the consideration of the Public Works Bill, and go into the consideration of the Municipal Corporations Bill. The Hon. Mr. Hall, in a considerate manner, acceded to that request; but those who ought to have been present to consider the Bill were not here. I then got up and moved that the first clause of the Bill might be read, so as to give time. I then drew attention to the fact that those honorable gentlemen who appeared to be interested in the Bill were not present to discuss it. I said I was not prepared to go on with that measure, and must decline all responsibility for a measure which I was not prepared to consider. I say, then, in a sort of justice to honorable members all round, that there has been a great deal of misconception with regard to the whole of this matter; and I do not think there has been sufficient cause for my honorable friends to make so much of it as they have done.

* The Hon. Mr. ACLAND.—I do not wish to prolong this discussion unnecessarily, but I would like to add a word with regard to what the Hon. Mr. Waterhouse has said in reference to what he considered the appeal made by the Hon. Mr. Hall to the Council. If I remember rightly, the honorable gentleman's statement was made in consequence of some severe remarks made regarding him by some honorable members. The Hon. Mr. Waterhouse said he had been entrapped by the honorable member; and he (the Hon. Mr. Hall) said that he had been twenty years in Parliament, and that such a charge had never before been made against him. It was not an appeal made by him to the Council, but a charge had been made against him which had never been made before. I hope the Hon. Colonel Whitmore will excuse me for pointing out what seems to me to be an inconsistency in his speech. He began his speech by saying that there was no party opposition, and that no agreement had been made; and further on he says, "The divisions were won by us and by the arguments on our side."

The Hon. Colonel WHITMORE.—The members who take the same views usually sit on one side of the Council, and those who took different views appeared to be on the other side. I particularly explained that there was no compact; and when I talked about "we," I meant we who sit on this side of the Chamber.

* The Hon. Mr. ACLAND.—The amendments that were proposed were necessary in some cases, and even the Hon. Mr. Hall himself said then they were very good amendments. As to the discussion upon the Public Works Bill being a discussion between the Government and honorable members, it was nothing of the sort. The greatest discussion of all was upon the subject of windmills, and honorable members took opposite views during that discussion. There certainly was no appearance of the Council taking up one side as against the Government. I will just make one other remark in defence of the Hon. Mr. Menzies. It has been said that he spoke three times as much as any other honorable member. I may be very much mistaken, but I certainly do not think that what the honorable gentleman said on that Bill was more than the Hon. Colonel Whitmore had said himself.

The Hon. Captain FRASER.—It appears to me that we are wasting a good deal of time upon this matter, and I am afraid to say anything lest I should make the same mistake which other honorable members have fallen into. I think we ought to be all satisfied with what has been said. It is quite clear that there has been some misunderstanding between the Hon. Mr. Waterhouse and the Hon. Mr. Hall. It was understood that we should not proceed with any difficult clauses of the Bill. The Hon. Mr. Waterhouse was under that impression, no doubt. The Hon. Mr. Hall did not view the matter in the same light as the honorable gentleman, and hence this unfortunate misunderstanding, which is very much to be regretted. I think it would be much better not to say one word more about the matter.

* The Hon. Mr. BONAR.—I am not going to occupy much of the time of the Council in discussing this matter; but as a charge has been made against the Hon. Mr. Hall with regard to the conduct of the business, I think it is only right that members of the Council who were present should express their opinion as to what was the nature of this understanding which was supposed to have been entered into. I thought possibly this discussion would not have arisen; that all causes of irritation which undoubtedly did exist had been removed last evening, and that this matter would not have again arisen. The whole thing seems to have been a misunderstanding as to the terms on which the business of this Council was to be carried on. That is how I understand the matter. The real question is not as to the words used. The words were stated by the Hon. Mr. Waterhouse very fairly as they appear in *Hansard*, and as we understand them. The only question, therefore, seems to be whether that understanding was carried out, and whether it was carried out, as the Hon. Mr. Waterhouse pointed out last night, not only according to the

letter, but in the spirit in which it was intended. That is the question we have before us now, and it is desirable that we should not introduce any other matter of irritation than what has arisen already. Speaking for myself, it appears to me that the only business gone on with since the Hon. Mr. Hall undertook charge of the Government business has been such as was of no importance—of no vital importance politically, or upon which there was no serious difference of opinion as to principle between members of this Council. It seems to me that the only question which appears to have been fought was the matter contained in the Public Works Bill, and that, as was pointed out by the Hon. Colonel Whitmore, was more a matter of detail, and one relating to which many of us had much experience in the working of local institutions. The matters referred to were such as we were certainly able to give valuable opinions on, founded upon our knowledge and experience; and they were not such questions as required to be held over as questions of large Government policy. I think they were but questions of detail; and the divisions which have taken place in this Council prove that they were matters upon which there was no Government policy at stake. We had members from all sides of the House voting in different directions upon each separate amendment; and, as I understood last night from the Hon. Colonel Whitmore, and many of those honorable members around me, they were voting really upon the merits of the question under discussion, in order to make the Bill as perfect a one as it possibly could be made, more especially as the Bill had been first introduced into the Council. But no real question of policy was at stake, because the question of the policy of the Bill had been already decided on the second reading. Therefore I feel that it is only justice to the Hon. Mr. Hall to say that, as far as I understand the arrangement entered into, it had been most faithfully carried out, not only in the letter, but also in the spirit, and in accordance with the wish of the Council. Of course, it is a matter on which each individual can form an opinion; and, if the Hon. Mr. Waterhouse thinks that the spirit of the agreement has not been carried out, his understanding of the agreement differs very much from mine.

* The Hon. Mr. ROBINSON.—I shall not make any apology for troubling the Council with a few words. No doubt the Hon. Mr. Menzies will be very much gratified to have the discussion prolonged, and he may take credit for its proceeding to such a length, on account of the very kind remarks he felt justified in making. The Hon. Mr. Acland has just stated, with reference to a remark about the time taken up by the Hon. Mr. Menzies on all occasions, that the amount the latter said was not at all equal to that said by the Hon. Colonel Whitmore. That I perfectly admit. I do not think that anything the Hon. Mr. Menzies says is at all equal to what the Hon. Colonel Whitmore says; but the only difference is that the Hon. Mr. Menzies takes six times as long to say it. The honorable gentleman, in the course of this debate, has re-

ferred to his conduct on a previous occasion, with reference to which I made some remarks about his obstructing the business of the Council. He told us that when the University Bill was before the Council he did not divide on this or that occasion. Now, he certainly did divide the Council several times. On one occasion the division was 17 against 8 for the honorable gentleman. On another occasion the division was 11 against 6 for the honorable gentleman; yet even that division did not satisfy him; and when I charged him with recommitting the Bill, he said he did not recommit the Bill. The honorable gentleman was quite correct. He did not indeed move to recommit the Bill; but how did it happen? Honorable gentlemen will scarcely credit it; but, according to his own admission, the mistake arose from his want of knowledge of the forms of procedure. My honorable friend Dr. Grace has referred to comparisons drawn between the Hon. Mr. Hall and the Hon. Dr. Pollen—whom I am delighted to see in his place—but not with regard to his carrying on the business any better than the Hon. Mr. Hall. I do not want to draw any comparisons, and I think it is a pity that any comparisons have been drawn. However, I think the Hon. Mr. Hall will find that he has made a mistake, and we have not found him so friendly on all occasions as we would expect. I will leave the Council to judge of the good taste of the remarks made by the Hon. Mr. Menzies. I will only say that if the honorable gentleman would take it into his head to gather sweetness from every flower, and would spend a little more time in the lobby, the House would be a great gainer. I do not think there is a single subject which comes before the House on which the honorable gentleman does not speak, and, if he possibly can, half a dozen times. But he does it in such a smooth sort of way that, unless honorable gentlemen are taking notice particularly, he might speak once or twice without anybody being aware of it. The Hon. Dr. Grace also said, with reference to a few words that fell from the Hon. Mr. Waterhouse as to what took place on another occasion, that we were really calling into question the ability of the Hon. Mr. Hall to conduct the business of the House. But I must say that on one or two divisions the real question has not been submitted to the House. The Hon. Mr. Hall has on one or two occasions stated that he would look upon the division as a reflection upon himself. I do not think that was a fair way of putting it, because, if I thought my voting one way would be a reflection on the Hon. Mr. Hall, I would vote in another direction whether it was contrary to my opinion or not. But this was the state of matters: We did not know the position we were in till last night. The Hon. Mr. Hall will recollect that when the question arose it was altogether on constitutional grounds that objection was taken to proceeding with the Public Works Bill; and yet, when we called the honorable gentleman's attention to this, and stated last night that we had not any one in the Government or with sufficient authority to proceed with a measure of this kind, the honorable gentleman

rose in his place, and told us that he had never been asked the question whether the Ministry would be bound by any action he took in regard to amendments in this Bill. I say that we objected on constitutional grounds that we had no regularly appointed Minister in this Council, and that to my mind was tantamount to the question, Can the Hon. Mr. Hall take this responsibility on himself or not? I think that, if we had been fortunate enough at an earlier period to have obtained the intimation we received last night, all this discussion and angry recrimination might have been avoided. It has no doubt been gratifying to one or two honorable gentlemen; because there are some people who, when they find a little sore, are never satisfied unless they are probing it with a stick. I would recommend those honorable gentleman in future to use a little honey instead of vinegar.

* The Hon. Mr. HALL.—I am sorry that I am unable to pass over this occasion without making one or two remarks. But I can assure the Council that they will be as few as possible, and that in making them I shall not say one word which I can avoid to cause irritation in the mind of any honorable member. I must first set right the Hon. Mr. Robinson, who said there were one or two occasions on which I asked the Council to vote on personal grounds.

* The Hon. Mr. ROBINSON.—I said it was not putting the question fairly;—that if the question was put in such a shape as to reflect upon the Hon. Mr. Hall in any way whatever, I would certainly vote the other way, even contrary to my opinions.

* The Hon. Mr. HALL.—My honorable friend is not correct in saying that I put the question as a personal matter on more than one occasion. I put it in that way on one occasion in which I had hoped a vote would be taken, but on which no vote was taken; and I did so because I thought it was a question of confidence. It was impossible for me to do otherwise with any due respect to myself or to the Council in which I sit. I do not think the Hon. Mr. Menzies requires much defence from me; but I would point out that the Hon. Mr. Robinson was incorrect when, in referring to what took place on the New Zealand University Bill, he said that the Hon. Mr. Menzies raised the same question over and over again. The question raised by the honorable gentleman on the third reading of the Bill was entirely different from that which was disposed of before—and so much so that although in all previous divisions I had voted against the honorable member, in the last division I voted with him. I do not think it necessary to take any notice of the speech made by the Hon. Colonel Whitmore. He has made one or two references to myself which I do not know whether he intended to be irritating and offensive, but I think the Council will bear me out in saying that it is not necessary for me to take any notice of those remarks. The Hon. Mr. Waterhouse has, in an exceedingly temperate manner, referred to the misunderstanding which appears to me to have taken place; and I will, in a few words, and in the same temperate tone, give my view of the case. I

can only say that, if the honorable gentleman's previous references to the subject had been made in anything like the same language, we should not have had anything like the unpleasantness of the last few days. The honorable gentleman complains that the understanding which was entered into, when I undertook to occupy temporarily the place of my honorable friend the Colonial Secretary, has not been adhered to—has been broken. The arrangement, as I understand it, was this: that, on the part of the Hon. Dr. Pollen, I stated, as reported in *Hansard*,—

"He (Mr. Hall) would undertake to conduct through the Council the formal business of the Government—that business not involving questions of policy, and upon which no serious discussion could arise. Any question involving a grave matter of policy he would of course not ask the Council to proceed with."

Any agreement thus made could only be an agreement between the Hon. Dr. Pollen, through myself, and the Council; and I submit that it was for the Council, as we came to the various notices on the Order Paper, to put its own interpretation on what that agreement required—to decide whether any matter was a grave measure of policy, involving serious differences of opinion, or was a matter of administration or detail, which we could advantageously discuss in the absence of the Colonial Secretary. This is the point I would beg honorable gentlemen to bear in mind: that the interpretation of this understanding necessarily rested with the Council, and with my honorable friend; so far as the Colonial Secretary was concerned, I communicated with him every day, stating what business was to come forward, and taking his wishes on the subject. I then proposed it to the Council; and if it appeared to the Council at any time that I was proposing to go on with business in contravention of the understanding which had been arrived at, then I say it was for the Council to say so, and I should at once have taken their decision. I will illustrate the case by referring to one or two measures that did come before us. Take the Native Reserves Bill. I at once proposed we should not go on with that Bill until the Hon. Dr. Pollen returned. The Debtors and Creditors Bill was a measure involving questions of public policy, and was likely to give rise to considerable difference of opinion. Therefore it was postponed from day to day. I asked my honorable friend the Hon. Mr. Mantell not to proceed with a Bill which was in his charge—the Crown Redress Bill—until the Colonial Secretary was able to appear in his place, and I am glad to say the honorable gentleman has not done so. The same remark applies to the Gold Duties Bill, which is in charge of the Hon. Mr. Bonar. These were measures involving questions of public policy, and, in compliance with the understanding referred to, were postponed until the Hon. Dr. Pollen should be able to take part in the discussion. But we did agree to go on with other Bills, which might fairly be considered to involve questions of policy. There was the Post Office Bill, providing for the introduction of post-cards, to which the very strongest objection was

taken in some quarters. My honorable friend the Hon. Colonel Brett saw in that system a means of sapping the peace and happiness of every family in the country; and yet that was not regarded as a question of policy which required to be postponed. The same with the Cromwell Racecourse Bill. That Bill did not involve a question of public policy, it is true; but there was a very wide difference of opinion in regard to it. Then there was the Maori Representation Bill, which certainly did involve a large question of public policy; but the Council agreed to proceed with it. There was a great difference of opinion in regard to the Thames Water Supply Bill; but it was gone on with. The two important Bills which it is now necessary to refer to were the Municipal Corporations Bill and the Public Works Bill. Both are consolidating Bills, which repeal a large number of existing Acts, and re-enact their provisions in a more concise form. The honorable gentleman raised no objection to the Municipal Corporations Bill being proceeded with at once. But he objected to the Public Works Bill being gone on with, and I am sure honorable members will bear me out when I say that upon that occasion I said I was entirely in the hands of the Council. I said, "If the Council will express its opinion on the subject, and will say it is not desirable to go on with this measure, I shall acquiesce most cheerfully." I asked my honorable friend opposite if he would adopt the same course—to leave it to the Council, and, if the Council decided against him, that then he should offer no obstruction of an unusual character. On that occasion, the Council expressed its opinion against the honorable gentleman by a majority of one; and as he did not think it desirable to take another division upon the Bill, its consideration was proceeded with. I think I have said all that is necessary to clear myself from the imputation of having broken the understanding or agreement made with the Council, and therefore I shall abstain from making any further remarks, although I have grievances and complaints which I might reasonably make. I shall abstain, in the hope that the present unpleasantness may be forgotten, and that we may return to that harmonious state of things which has hitherto existed. I thank members of this Council for the support they have accorded me since I have filled the place of my honorable friend the Colonial Secretary.

* The Hon. Dr. POLLEN.—Honorable gentlemen will understand me when I say that I have listened to this discussion with considerable pain. My honorable friend the Hon. Mr. Hall has said that he was in daily communication with me respecting the business of the Council, but he has not said that he did not inform me of the position of embarrassment in which he was placed in this Council in his effort, for which I shall always feel grateful to him, to carry on the business of the Government during my unavoidable absence. When my honorable friend undertook to conduct the business in the Council on my behalf, there could have been no doubt that the Government made itself responsible for the

action of the honorable gentleman, and regarded his proceedings as those of a Minister, and for which they would hold themselves accountable. But when my honorable friend placed himself in the hands of the Council, as he plainly stated, there should have been no cause for dissatisfaction: in fact, the misunderstanding which appears to have arisen might have been removed at once by an expression of opinion on the part of the Council as to whether or not the particular clause or Bill did or did not involve a question of policy. I do not know upon what particular portions of the Public Works Bill the discussion to which reference has been made took place; but I may say, with reference to the whole Bill, that, with the exception of the question whether or not a consolidation of the laws relating to public works was desirable, there is no portion of the details upon which any question of policy can be said to hinge. If there had been any such question arising out of any particular clause, it was competent for the Council to express its opinion by a definite vote; and I am quite sure my honorable friend would at once have bowed to that expression of opinion, and postponed the consideration of the clause. While thanking my honorable friend, I can only express my regret for the embarrassment and trouble which I have brought upon him; and I hope that the unpleasantness which has arisen will terminate with the present discussion.

The Hon. Mr. WATERHOUSE.—I purposely introduced this subject in a very guarded manner, because I was anxious not to say a word which could have the effect of embittering the feeling which has arisen in reference to this matter. I regret that the feeling which animated me was not shared in by the honorable gentleman who followed me (the Hon. Mr. Menzies), who, instead of endeavouring to cast oil on the troubled waters, sprinkled vitriol all round. I will not follow the honorable gentleman in all his remarks, nor will I endeavour, in anything I am about to say, to change the opinion in reference to this matter at which he has already arrived. The honorable gentleman has called attention to the fact that three evening sittings were taken up by the Council in considering twenty or thirty clauses of this Bill, endeavouring to show thereby that a good deal of time had been wasted in ill-feeling. Why, the very fact that three evening sittings were taken up in the consideration of these twenty or thirty clauses shows that, in spite of the remarks of the Hon. Mr. Hall, we did proceed to consider questions which were calculated to create serious discussion. The honorable gentleman has likewise said that I should be very careful not to say anything that would provoke honorable members, because, as he observed, no member of the Council had laid himself more open to caustic criticism than myself. Sir, I should be one of the last men to ask for forbearance from the members of this Council if I felt that I did not deserve it. If I laid myself open to caustic criticism, why did the honorable gentleman not discharge his duty as he ought to have done, and pour vials of wrath upon my head? The honorable gentleman considers that

I laid myself open to caustic criticism, because some three years and a half ago I felt it to be my duty to resign my position as a member of the Government to which I belonged. That was the only occasion upon which I laid myself open to caustic criticism, and I had it heaped upon me in abundance. Looking at the circumstances now at a distance of three and a half years, I do not regret the course I adopted. I felt myself in a false position, and I determined, at any sacrifice of private friendship, to get rid of that false position. I may have been wrong, but I preferred my own freedom and independence to the emoluments of office or the possession of power. The honorable gentleman likewise said that this discussion was raised upon matters of personal pique, and that there were minor circumstances which produced an undercurrent of feeling. All I would ask is that the honorable gentleman will not measure other people's corn by his own bushel.

The Hon. Mr. MENZIES.—I did not say matters of personal pique; I said motives of personal pique.

The Hon. Mr. WATERHOUSE.—I took down the honorable gentleman's words, and he distinctly said "matters of personal pique." Sir, I indignantly deny the charge, and I call upon the honorable gentleman to substantiate it. It is a base, calumnious charge. I have always been on the most cordial terms with the Hon. Mr. Hall; I have always been the first to support him; I looked up to the honorable gentleman with great respect; and, if he will permit me to say it, I admire him for the thorough backbone he has got. I may sometimes take exception to a certain stubbornness of character which he manifests, but I admit that that is the strength of public character. When this matter came up, I took exception to it on constitutional grounds; and it was upon those constitutional grounds that I opposed the honorable gentleman. There had never been any difference of feeling between us; and I regret, no one more than myself, that in this matter there should have been any difference of feeling between us. With reference to the remarks of other honorable members, I have brought up this matter simply to set myself right with the public. I have shown what was the nature of the understanding arrived at, and I have referred to the proceedings in Committee, which commenced this matter; and I leave it to the public who care to make themselves acquainted with the subject, and who read *Hansard*, to decide whether I have been right or whether I have been wrong. I ask leave to withdraw the motion that the Council at its rising do adjourn till three o'clock to-morrow.

Leave given, and motion withdrawn.

DEBTORS AND CREDITORS BILL.

On the motion for the third reading of this Bill,

* The Hon. Mr. HART moved, That the Bill be recommitted for the purpose of reconsidering in Committee the fitness of appointing provisional trustees to act in the administration of bankrupt estates, instead of Registrars of the

Supreme Court and trustees appointed by Registrars. His object in moving for the recommitment of the Bill was this: that the measure, which had undergone a large amount of consideration, should, when passed into an Act, have an enduring character, so that this Council and this Parliament might not, next year, be called upon by a very strong expression of opinion upon the subject to again amend the law relating to bankruptcy. He had striven in vain to ascertain—beyond a certain expression which fell from his honorable friend the Colonial Secretary, upon the last occasion when the subject was before the Council—what was the reason which induced the Government to depart from the practice under the Act of 1867, which, as far as his experience and opportunities of observation went, had worked very well, and to put into the hands of the Registrars of the Supreme Court a duty which seemed to him to be incompatible with their position, incompatible with the powers given to them under this Bill, and one which, so it seemed to him, they had not the means at their disposal properly and adequately to discharge. The Registrar of the Supreme Court was bound at all times to attend the Court when it was sitting, and had many duties to perform which were inconsistent with the duty imposed on him by the Bill. He could bear testimony that the Registrars were not provided with adequate means and instruments for fulfilling that duty. It had been suggested that they could make use of the bailiffs of the Resident Magistrates' Courts; but these bailiffs had so much to do at present that they could not perform their functions in carrying out the judgments of the Court: that was the case as regarded Wellington at all events. He believed there was not one in the profession in the colony who did not recognise the fact that the duties of Registrar of the Supreme Court and of bailiff in bankruptcy were two incompatible sets of duties—he spoke without exception as to the profession. The return which he moved for early in the session, and which was made in a couple of lines a few days ago, showed that the bulk of the estates which had passed into bankruptcy during the last two years under the operation of the Bankruptcy Act of 1867 were administered by official trustees. Out of 363 cases commenced in 1874, the number in which the official trustee became trustee by reason of the failure of the creditors to meet was 298; and out of 587 cases in 1875, in 363 cases, by reason of the creditors failing to meet, the official trustee became trustee by law. Beside this, in 1874, in forty-five cases the official trustee was nominated by the creditors to undertake the administration of the estate, and in thirty-three cases in 1875, leaving for 1874 thirty-two cases only in which the creditors appointed a trustee other than the official trustee; and in 1875, out of 587 cases, only sixty-three in which any other trustee was appointed. That unmistakably showed as a rule that the creditors had confidence in the trustees appointed to carry on the business. Under those circumstances, he objected to the argument which had been adduced that the Government was not bound to provide machinery for attending to the business of those

who were not attending to their own business. That suggestion involved an assumption which was hardly correct. It assumed that, when creditors of bankrupts or insolvents did not meet to appoint a trustee, it was because they neglected their business. In very many cases, it was because they could not neglect their business in order to attend those meetings. The meeting was generally appointed to be held in some chamber attached to the Supreme Court, and many of the creditors might be dispersed throughout the country. Many of them might be persons engaged in business which they could not safely leave to other persons to attend to, or they might have no other person to whom to leave their business during their absence. The dividend to be received out of the estate might be one of a very uncertain character. The creditors might fail altogether to see the notices, and might not attend in consequence of not having seen the notices. Under those circumstances, he thought it was well there should be some competent person appointed by the Government who would be responsible for the management of those estates, rather than that the appointment should be made by the Registrar, or, in case he could not find a trustee to act for him, that he himself should do the work. He was not aware that there had been any complaint made respecting the official-trustee system. If there had been, he had not heard of it; and, as he had said, the whole profession, he believed, were of one mind on the subject, and were of opinion that an official trustee was the proper person to be appointed. The official assignee was known; his place of residence was known; and in case of any estate going into his hands, it was easy for the creditors to apply to him for any information with regard to that estate, and so the appointment would act well for the creditors as well as for the Court itself. There was another point which might be raised, and that was that the responsibility arising out of such an appointment fell upon the Government making it. It did not appear to him that there was any difference in responsibility, as far as the Government were concerned, whether the officer was a named and known officer appointed by the Government, or whether he was an officer appointed by the Registrar, which was to be the case by the provisions of the Bill as it stood at present. If the creditors failed to meet, the Registrar was to appoint one of the creditors, or some other person willing to accept the trust, who was afterwards to be called "creditors' trustee." If he could not find any creditor or any other person to accept the trust, he was himself to take it and carry it through; and at the end of twelve months, if no order was made by the Court in the meantime, he was to pay the money into the hands of the Colonial Treasurer. But that which appeared to him the strongest argument against that system was, that he believed it would be generally agreed that the first and most important step to be taken was without delay to take possession of the insolvent's estate; that there should be the shortest possible time between the declaration of the insolvency, or the act which constituted the insolvency, and the

taking possession of the goods; and he was quite satisfied that one whose business it was specially to look after those matters would be able far more promptly to take the steps necessary for taking possession than the Registrar of the Supreme Court would; that he would have under his eye persons who would be competent to do what was necessary under the circumstances, and, as a rule, to conduct the business far better. As recommended by the Chamber of Commerce at Auckland, he believed it would be better that such a person should be a commission agent, and one accustomed to dealing with business of that kind, and not to the Registrar of the Supreme Court, who had very many questions of law, and very many other questions quite inconsistent with the character of a man of business of that stamp, to deal with. By making the Registrar of the Supreme Court a trustee in bankruptcy, they would be making him an accounting party, having accounts to pass open to question with the creditors and with the insolvent himself, and which would, if an official trustee were appointed, be determined by the Registrar himself. He thought the two positions were inconsistent on that ground, as well as on others, and therefore he had been most anxious to bring this question before the Council.

*The Hon. Dr. POLLEN said this question was fully discussed in Committee, and he hoped the Council would affirm the decision at which it had arrived on that occasion. He differed with very great diffidence from the honorable and learned gentleman who had last spoken, who on a matter of this kind might be supposed from his experience to speak with very much greater authority than he (Dr. Pollen) could do; but it appeared to him that the principle for which the Government were contending was a large one which should not be confounded with mere details. The system of official assigneeism had been under trial in the colony for a very great number of years, and no one could say that it had worked satisfactorily. The very fact of it not working satisfactorily—the very fact that the process of winding up insolvent estates had become so severe a tax upon estates themselves as very often to be regarded as destructive—was one of the causes which led, in the last session of the Assembly, to the adoption of a principle for which the Government at least expected that there should be a fair trial. The Act of last session, defective as it was found to be in a great many of its details, was accepted on all sides on account of this change of principle, and of the provision which it contained imposing upon creditors the duty of looking after their own affairs. The table which his honorable friend had prepared for the Council simply showed that, as he had previously stated, the creditors relied upon a kind of special Providence in the person of the official assignee to look after their affairs in matters of bankruptcy. Out of 587 cases which were stated to have been commenced in 1875, in 863 no creditors could be got together to take the smallest trouble about their own affairs, and the official assignee came into possession because there was no meeting of creditors. There was

no reason whatever that he could see why the State should continue to provide machinery of this kind, which experience not only on this side of the line but in England had shown to be entirely obnoxious and unsatisfactory. They had had an Inspector in Bankruptcy and a regular establishment which had not worked well, and it would be a grave mistake to re-establish that system. He thought that, at all events, they should give this Bill in its present form a trial for one year. Gentlemen, for whose opinions he was sure his honorable and learned friend would have great respect, thought that in its present form the Bill was one that might be worked exceedingly well, and he hoped it would be allowed to remain as it was. The objection that the Registrar of the Supreme Court had more duties to perform than he could possibly fulfil was not, he thought, a sufficiently powerful one to induce the Council to give up the view it took on a former occasion with respect to this Bill. The duties imposed upon the Registrar by the measure were light, and purely of a technical character. That officer was named because it was necessary to name somebody, and he had the power of divesting himself of all responsibility, if circumstances rendered it necessary. He was not able to say more on the subject at present than to express a hope that the Bill would be allowed to remain, and that the system would have a trial for one year, until they saw what its effects were.

* The Hon. Mr. HART, in reply, said it was not on the ground of the Registrar having more than he could possibly do at present that he had proposed this change in the Bill. It was because the duties which were cast upon him by this measure were incompatible with the duties performed by him at present. And, with regard to the suggestion that creditors, by refraining from meeting, neglected their own business, and that the creditors should not be encouraged so to neglect their business, he would mention that in various other directions the Government had provided machinery for attending to the affairs of those who did neglect their own business. He would refer, as a special instance of that kind of interference, to an Act which not long since passed through the Council. He meant the extension of the duties of the Public Trustee to the case of the estates of absentees who for ten years had been without agents in the colony. He did not know a more striking instance of interference for the benefit of those who failed to attend to their own duties than that. So far, therefore, as the principle went of non-interference with those who failed to attend to their own business, he took it that the Council had shown by that Act that the principle was not carried out. He would not trouble the Council at any further length. He was not very well at present, but he had thought it his duty to bring the matter forward.

Question put, "That the Bill be recommended;" upon which a division was called for, with the following result:—

Ayes	...	...	...	13
Noes	...	...	...	5
Majority for	...	...	...	8

AYES.

Colonel Brett,	Mr. Nurse,
Mr. Chamberlin,	Mr. Paterson,
Mr. Edwards,	Mr. Pharasyn,
Mr. Hart,	Mr. Robinson,
Mr. J. Johnston,	Mr. Stokes,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Mantell,	

NOES.

Mr. Bonar,	Mr. Menzies,
Captain Fraser,	Dr. Pollen.
Mr. Hall,	

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Peacock.	Mr. Lahmann.

The Bill was consequently recommended.
Clause 65.—Property in order and disposition of debtor.

The Hon. Mr. ROBINSON moved, That the following words be struck out:—

"Provided also that nothing herein contained shall be held to apply to consignment of goods held by the debtor in the ordinary course of his business for sale on account of any other person, the identity and ownership of which can be proved to the satisfaction of the trustee of the debtor's estate, or of the Court, and in respect of which the owner shall tender payment to the trustee of all advances made thereon by the debtor, and of all charges due thereon to the debtor's estate, and shall surrender to the trustee any acceptances granted by the debtor in his favour by way of advance thereon."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	16
Noes	...	...	...	5
Majority for	...	...	...	11

AYES.

Mr. Acland,	Mr. G. R. Johnson,
Captain Baillie,	Mr. Menzies,
Mr. Bonar,	Mr. Paterson,
Colonel Brett,	Mr. Pharasyn,
Mr. Edwards,	Major Richmond, O.B.,
Captain Fraser,	Mr. Scotland,
Mr. Hall,	Mr. Stokes,
Mr. Hart,	Mr. Waterhouse.

NOES.

Mr. Campbell,	Mr. Robinson,
Mr. Chamberlin,	Colonel Whitmore.
Mr. J. Johnston,	

The motion was consequently negatived.
Progress was reported, and leave given to sit again.

The Council adjourned at ten minutes to ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 4th October, 1876.

First Reading—Abolition Act—Immigration and Public Works Appropriation—Counties Bill—Attorney-General Bill—Public Health Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Protection of Animals Bill.

ABOLITION ACT.

Sir G. GREY said that, before the business was proceeded with, he would like to ask a question of the Government without notice. It was a question of a most important nature, and was to the following effect:—It appeared from a memorandum addressed by Ministers to the Governor that they had received some opinion from the Law Officers of the Crown as to the powers of the General Assembly to pass the Abolition Act, and he wished to know whether or not such an opinion had been given. If it had been given, he would ask that it should be at once laid on the table, as it was of the greatest importance.

Major ATKINSON said that perhaps the honorable gentleman would give notice of his question, and then there could be no doubt that it would be answered.

Sir G. GREY thought this was a matter of so much importance that he would be justified in pressing it. All their proceedings were based on the supposition that such an opinion had not been given. He hoped the Government would not refuse to give the information he asked for.

Mr. SPEAKER said it was only by leave of the House that a question could be asked without notice; and if Ministers declined to answer it now, the honorable member for the Thames would have to give notice.

Sir G. GREY would in that case give notice that he would ask the question next day.

IMMIGRATION AND PUBLIC WORKS APPROPRIATION.

Mr. MURRAY asked the Minister for Public Works, if he intends this year to provide for the requirements of the year by a Bill similar in purpose to "The Immigration and Public Works Appropriation Act, 1875"? As the Hon. the Minister for Public Works would know very well what his object in asking this question was, he would therefore simply ask it.

Mr. RICHARDSON said there would be a similar Act introduced.

COUNTIES BILL.

The House went into Committee on this Bill.

Clause 119.—Governor may appoint auditors.

Sir G. GREY moved, That the word "Governor" be struck out, with the view of inserting the word "Council" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which

a division was called for, with the following result:—

Ayes	...	...	...	...	38
Noes	...	...	...	...	21
Majority for	...	...	...	...	15

AYES.

Major Atkinson,
Mr. Ballance,
Mr. Bowen,
Mr. Bryce,
Mr. Buany,
Mr. Button,
Mr. Curtie,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hunter,
Mr. Hurthouse,
Mr. Kelly,
Mr. Kennedy,
Mr. Larnach,
Mr. Lumsden,
Mr. G. McLean,
Mr. Montgomery,
Mr. Moorhouse,

Mr. Murray,
Mr. Murray-Aynsley,
Mr. Pyke,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Rolleston,
Mr. Sharp,
Mr. Stafford,
Mr. Stevens,
Mr. Techemaker,
Mr. Tribe,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Burns,
Mr. Richmond.

NOES.

Mr. Andrew,
Mr. Baigent,
Mr. Barr,
Mr. J. C. Brown,
Mr. J. E. Brown,
Mr. De Lantour,
Mr. Dignan,
Sir G. Grey,
Mr. Hislop,
Mr. Joyce,
Mr. Rees,

Mr. Rowe,
Mr. Seaton,
Mr. Shrimaki,
Mr. Stout,
Mr. Swanson,
Mr. Tole,
Mr. Thomson,
Mr. B. G. Wood.

Tellers.

Mr. Macfarlane,
Mr. Manders.

The amendment was consequently negatived.

First Schedule.—Description of counties.

"Thames County—Is bounded towards the north by the southern boundaries of the Coromandel County hereinbefore defined; towards the east by the ocean; towards the south by a line from Ngakuriawhare to the summit of the Aroha Mountain, being the northern boundary of the Tauranga Confiscated District, by the production of that line to the Thames (Waihou) River; and towards the west by the centre of that river and by the Firth of Thames to the commencing point."

Sir G. GREY moved, as an amendment, That all the words after "towards the east by the ocean," be struck out, with a view to inserting the following words: "on the west by the ocean to the mouth of the Piako River; thence to Pakorokoro; thence by a due line west to the summit of the ridge which forms the eastern watershed of the Piako River; along the summit of that ridge to the sources of the Piako; thence on the south by a straight line to the summit of the Aroha Mountain, and thence by a straight line to the ocean at Waihi."

Question put, "That the words proposed to be left out stand part of the question;" upon

which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	27
					—
Majority against...	...	...	...	...	1

AYES.

Major Atkinson,	Mr. G. McLean,
Mr. Ballance,	Mr. Murray-Aynsley,
Mr. Bowen,	Mr. Pearce,
Mr. J. E. Brown,	Mr. Pyke,
Mr. Bryce,	Mr. Reid,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Teschemaker,
Sir B. Douglas,	Mr. Tribe,
Mr. Hamlin,	Mr. Whitaker,
Mr. Harper,	Mr. Woolcock.
Mr. Hunter,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Kennedy,	Mr. Kelly,
Mr. Macfarlane,	Mr. Murray.

NOES.

Mr. Andrew,	Captain Morris,
Mr. Baigent,	Mr. Nahe,
Mr. Barff,	Mr. Reynolds,
Mr. J. C. Brown,	Mr. Seaton,
Mr. Burns,	Mr. Sharp,
Mr. Button,	Mr. Shrimski,
Mr. De Lautour,	Mr. Stout,
Mr. Dignan,	Mr. Swanson,
Mr. Fisher,	Mr. Takamoana,
Sir G. Grey,	Mr. Thomson,
Mr. Hialop,	Mr. W. Wood.
Mr. Joyce,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Rowe,
Mr. Montgomery,	Mr. Tole.

PAIR.

For. Mr. Cox.
The amendment was consequently agreed to.
Waitaki County.

Mr. REID moved, That the word "Waitaki" be struck out, with the view of inserting the word "Otago" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the sub-schedule;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	36
Noes	...	...	...	...	23
					—
Majority for	...	...	...	...	13

AYES.

Mr. Andrew,	Mr. G. McLean,
Major Atkinson,	Mr. Moorhouse,
Mr. Baigent,	Captain Morris,
Mr. Ballance,	Mr. Murray-Aynsley,
Mr. Bowen,	Mr. Pyke,
Mr. Brandon,	Mr. Richardson,
Mr. J. E. Brown,	Mr. Richmond,
Mr. Bryce,	Mr. Rowe,
Mr. Button,	Mr. Seymour,
Mr. Curtis,	Mr. Sharp,

Sir B. Douglas,
Mr. Gibbs,
Mr. Harper,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Kennedy,
Captain Kenny,
Mr. Macfarlane,

Mr. Barff,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Hialop,
Mr. Joyce,
Mr. Montgomery,
Mr. Murray,
Mr. Nahe,
Mr. Rees,

Mr. Stafford,
Mr. Stevens,
Mr. Teschemaker,
Mr. Whitaker,
Mr. Woolcock.

Tellers.
Mr. Manders,
Mr. Reynolds.

NOES.

Mr. Rolleston,
Mr. Seaton,
Mr. Shrimski,
Mr. Swanson,
Mr. Tole,
Mr. Thomson,
Mr. Wason,
Mr. R. G. Wood,
Mr. W. Wood.
Tellers.
Mr. Reid,
Mr. Stout.

PAIRS.

For. Mr. Bunney,
Mr. Cox,
Mr. Tribe.
Against. Mr. Larnach,
Mr. Sheehan,
Mr. Hodgkinson.

The amendment was consequently negatived.
Mr. THOMSON moved, That the word "Molyneux" be struck out, with the view of inserting the word "Vincent."

Question put, "That the word proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	22
					—
Majority for	...	...	...	...	5

AYES.

Mr. Baigent,
Mr. Ballance,
Mr. Barff,
Mr. Button,
Sir B. Douglas,
Mr. Fisher,
Mr. Hamlin,
Mr. Hunter,
Mr. Hursthouse,
Mr. Joyce,
Mr. Kelly,
Mr. Manders,
Mr. Montgomery,
Mr. Moorhouse,
Captain Morris,
Mr. Murray,
Mr. Nahe,
Mr. Richardson,
Mr. Richmond,
Mr. Seaton,
Mr. Stout,
Mr. Takamoana,
Mr. Teschemaker,
Mr. W. Wood,
Mr. Woolcock.
Tellers.
Mr. Burns,
Mr. Thomson.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. J. C. Brown,
Mr. J. E. Brown,
Mr. De Lautour,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hialop,
Mr. Kennedy,
Mr. G. McLean,
Mr. Murray-Aynsley,
Mr. Rees,
Mr. Rolleston,
Mr. Rowe,
Mr. Sheehan,
Mr. Stevens,
Mr. Swanson,
Mr. Tole,
Mr. Whitaker.
Tellers.
Mr. Lumsden,
Mr. Reynolds.

The amendment was consequently agreed to.

Mr. STOUT proposed, That the word "Pyke" be inserted after the word "Vincent."

Question put, "That the word proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	81
Majority against	...	...	...	...	12

AYES.

Mr. Barff,
Mr. J. C. Brown,
Mr. J. E. Brown,
Mr. De Lautour,
Mr. Joyce,
Mr. Kennedy,
Mr. Lumsden,
Mr. Nahe,
Mr. Rees,
Mr. Reynolds,

Mr. Rowe,
Mr. Sheehan,
Mr. Shrimski,
Mr. Takamoana,
Mr. Toke,
Mr. W. Wood,
Mr. Woolcock.
Tellers.
Mr. Seaton,
Mr. Stout.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Baigent,
Mr. Ballance,
Mr. Bowen,
Mr. Burns,
Mr. Button,
Sir R. Douglas,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Manders,

Mr. G. McLean,
Mr. Montgomery,
Mr. Moorhouse,
Captain Morris,
Mr. Murray,
Mr. Pyke,
Mr. Reid,
Mr. Richardson,
Mr. Rolleston,
Mr. Swanson,
Mr. Teschemaker,
Mr. Thomson,
Mr. Whitaker.
Tellers.
Mr. Murray-Aynaley,
Mr. Richmond.

The amendment was consequently negatived.

"Clutha County—Is bounded towards the east by Bruce County from a point in the centre of the Clutha, opposite the confluence of the Tuaepeka, to the mouth of the Clutha; towards the south-east by the ocean to Chasland's Mistake, thence by a line to Blackhorn Hill, thence by the summit of the watershed over Bleak Hill to Catlin's Cone, thence by a line to the source of the Waipahi River, thence by the centre of that river to a point due south of the boundary between Waipahi and Waikaka Survey Districts; thence due north to the southern boundary of the Glenkenich Survey District, thence due west to the south-west corner of the said district, thence due north along the common boundary of the Glenkenich and Chatton Districts and that line produced to the Leithen River, thence by the centre of that stream to its confluence with the Pomahaka, and by the centre of the Pomahaka to the confluence of a stream rising east of Sorubby Knowe, thence in a direct line to the confluence of the Tuaepeka and Clutha Rivers, the starting point."

Mr. THOMSON moved, as an amendment, That all the words from "Chasland's" down to "Leithen River, thence by the centre of that stream to," inclusive, be struck out, with a view

to inserting the following words: "the mouth of the Tokanui-Creek, thence by a line along the centre of that stream to its source, and along the southern boundary of the Toetoe Survey District to the eastern boundary of that district, thence by a line due north to Wyndham District, thence by the southern and eastern boundary of that district to Tuturau District, thence by the southern, eastern, and northern boundary of the Tuturau District to the Mataura River, thence by the left bank of that river to the Waikaka River, thence along the centre of that river and its east branch to the northern boundary of Chatton Survey District, thence due east to."

Question put, "That the words proposed to be struck out stand part of the sub-schedule;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	26
Majority against	...	...	...	...	14

AYES.

Major Atkinson,
Mr. Bowen,
Mr. Curtis,
Mr. Kennedy,
Mr. Lumsden,
Mr. Manders,
Mr. G. McLean,

Mr. Murray-Aynaley,
Mr. Richardson,
Mr. Whitaker.

Tellers.

Mr. Kelly,
Mr. W. Wood.

NOES.

Mr. Barff,
Mr. J. C. Brown,
Mr. De Lautour,
Sir R. Douglas,
Mr. Fisher,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hislop,
Mr. Joyce,
Captain Kenny,
Mr. Montgomery,
Captain Morris,
Mr. Murray,
Mr. Nahe,

Mr. Pyke,
Mr. Rees,
Mr. Rolleston,
Mr. Rowe,
Mr. Seaton,
Mr. Shrimski,
Mr. Stout,
Mr. Swanson,
Mr. Wakefield,
Mr. Wason.

Tellers.

Mr. Burns,
Mr. Thomson.

The amendment was consequently agreed to.

The Bill was reported to the House with amendments, which were ordered to be considered on Friday.

ATTORNEY-GENERAL BILL.

Mr. WHITAKER, in moving the second reading of this Bill, said it would be in the recollection of the House that the matter was referred to the Disqualification Committee, which brought up the following report:—

"Your Committee have considered whether any of the provisions of 'The Attorney-General's Act, 1866,' have been infringed by the present Ministry, and have to report that there seems to be considerable doubt whether this Act does not limit the Governor to the selection of some person not a member of the Assembly as Attorney-General; and if there be such limitation, then there has been a clear infringement of the provi-

sions of the Act. In the opinion of your Committee, such a doubt should at once be set at rest by an Act containing provisions that would allow the Governor to select either a member of the Assembly or some one outside the Legislature as Attorney-General. Your Committee also consider it is inadvisable to have it enacted that an Attorney-General can only be removed on the address of both Houses. Should one outside the Legislature be appointed, the office should be held at the pleasure of the Governor."

In pursuance of that resolution, a Bill had been prepared and distributed some time ago for the purpose of carrying out the proposals of the Committee. Honorable members would understand that the position of the Attorney-General was this: In the early times of this colony, when it was first established, the Queen appointed three different officers from England—the Colonial Secretary, the Attorney-General, and the Colonial Treasurer. No alteration was made from that mode of appointment till the time when responsible government was introduced. From that time up to the year 1866, the Attorney-General continued to be a political officer, and sat in the General Assembly as a Minister. In 1866, however, an alteration was made. The arrangement was found to be inconvenient by the Government of the day; and it was determined that the gentleman who now holds the office of Chief Justice should hold the office of Attorney-General under a new tenure—a tenure totally different from that under which Attorneys-General were appointed anywhere else. The office was for the future to be held on the same terms as those under which a Judge of the Supreme Court holds office—that is to say, during good behaviour. Such an Act might have been convenient for the time at which it was passed; but on the whole he thought it never should have been passed; and it appeared to him that the time had arrived when a totally different arrangement should be made, and that the Ministry should appoint an Attorney-General either to hold a position in the Ministry or out of it, whichever might be most convenient. Matters had entirely changed since 1866. There were then only two lawyers in the House, whereas now there were fourteen or fifteen. It was thought it would conduce to the better management of the business of the House if the Attorney-General held a seat in it. This Bill would afford an opportunity for his doing so. With these few observations, he would move the second reading of the Bill.

Mr. MURRAY did not intend to speak upon the Bill, but merely wished to ask whether it proposed to increase the number of Ministers from seven to eight.

Mr. WHITAKER said, if the honorable gentleman would look at the last clause, he would find it stated, "Nothing in this Act contained shall be deemed to authorize the appointment of more than seven members of the Executive Council, inclusive of the Premier." Whatever was done with that question, the Bill left it entirely untouched. It allowed the Attorney-General to be a political or non-political officer, at the discretion of the Government of the day.

Mr. REYNOLDS intended to oppose the second reading of the Bill. He was aware, as the honorable gentleman had said, that there were fourteen or fifteen lawyers in the House; but he thoroughly disapproved of making the Attorney-General a political officer. It was true that prior to 1866 it was found desirable to have an Attorney-General in the House; but from that date up to the present time, no difficulty whatever had been experienced either by the Government or the Legislature in carrying on the business without a political Attorney-General. From the experience which members had gained, it was found that the necessity for such an officer had passed away. The Attorney-General had a great deal to do in giving advice, not only to his colleagues, but also to the Governor and the House; but, apart from that, he had no great faith in a political Attorney-General. He might be peculiar in his views; but he thought the opinions of a political Attorney-General were generally shaped to suit his political views. He based that opinion upon his own political experience. He knew one political Attorney-General who prepared a Bill, and shortly after went out of office; and because the Bill was introduced in the following session, and had the name of another honorable member (Mr. Bathgate) at the head of it, the moment it came before the Legislative Council, of which he was a member, he looked at it, and, for no other reason than that it had been carried through this House by Mr. Bathgate, he moved that it be read a second time that day six months. It was a very necessary Bill, and, as a matter of fact, was the same Bill he had himself prepared for introduction; but because he was no longer Attorney-General he objected to it. He did not say that all Attorneys-General were alike; but there were instances where an Attorney-General, the moment he went into office, reversed everything that had been done by his predecessor. The present system had worked very well during the last ten years, and he knew of no sufficient reason why it should be altered.

Mr. MOORHOUSE regretted that a gentleman of so much experience should give so bad an account of the lawyers. The Attorney-General was a lawyer necessarily holding a very exalted position among his fellows, generally a man who aspired to be a Judge, and it was monstrous to suppose that a leading lawyer occupying such a position would stultify himself by propounding bad law. He recommended himself in the highest degree in his profession by stating sound law; and it was a very great advantage to the House to have, assisting in its debates, gentlemen of such high character and great learning as the Attorney-General ought to be. He regretted that the honorable member for Port Chalmers should have given expression to such statements. He had been a member of the Government, and it was a bad thing that expressions of suspicion should be thrown out against men eminent in their profession—men whose ambition had no limit except the highest possible distinction upon the Bench. It was not likely that an Attorney-General would deliberately prove his unfitness

for such a position by giving bad law. He could quite understand the Attorney-General being a partizan; he could understand his being a very keen politician; he could understand his counselling a Cabinet to act in accordance with his political views; but he could not understand the possibility of a distinguished lawyer publishing his dishonesty and unfitness by stating unsound law.

Bill read a second time.

PUBLIC HEALTH BILL.

Mr. WHITAKER, in moving the second reading of this Bill, said it dealt with one of the most important subjects that could possibly come before the House. It embraced many provisions of an Act recently passed in England, and, as far as the principle was concerned, the House would have no difficulty in affirming it. There were, however, a great many clauses in the Bill, and he hoped they would receive careful consideration in Committee.

Mr. BOLLESTON said there was one point he wished to call attention to. He had read the Bill through carefully, and there was no doubt it was a considerable improvement on the existing Act. It also contained provisions rendered necessary by the change in the form of government; but a question had arisen particularly with regard to one of the cities of New Zealand which deserved consideration. The operation of a Bill of this sort should not be limited to the areas comprised within town belts, but should extend to the suburban districts. The district which should be governed by a Local Board in a city like Christchurch should not be simply a borough, but a borough with a suburban district; and he would suggest to the honorable member that, when the Bill was in Committee, provision should be made for extending the boundaries of local districts, in case of the boroughs, municipalities, and suburban districts lying close together. In the case of the city of Christchurch, he believed the "drainage district" was a district that could very properly be made into a local health district. It was needless to point out that there was a kind of affinity between the two subjects, and he believed the Drainage Board would be a very proper Board to have vested in it the functions that devolved on a Local Board under this Bill. The subjects they dealt with—those of health and drainage—were so closely connected that the Public Health Board was the proper body to work the Public Health Act.

Mr. REID thought that this was a very important Bill; but at the stage of the session at which they had arrived, they could not do it justice. He had very great regard for the public health, but he thought the health of honorable members required some little consideration. He submitted that, looking at the very important business they had to deal with, and believing that the present Act in regard to this matter, if properly administered, would be quite sufficient to carry on for another nine months, the consideration of this matter now would be a waste of time. He hoped the House would not waste any more time during the present session. The House had

no time to consider the business already before them, but now a new Bill of 160 clauses was introduced. He would be very loth to move that the Bill be read a second time that day six months, and he would suggest that a much more graceful way of dealing with it would be to put off the committal to that day three weeks, and he thought that possibly by that time they would be settled down to business, and be able to consider it thoroughly. He would suggest to the Postmaster-General that they should read the Bill a second time now, in order affirm the principle, which seemed to be considered a great deal in regard to some Bills; and having affirmed the principle they should leave it until they had disposed of more important business, and then they could consider it at leisure.

Mr. BOWEN hoped the honorable gentleman would not object to the second reading of the Bill, which had received a great deal of attention in another place. The Bill was to a very great extent an improvement on the existing Act. It would not occupy much of the time of the House although it looked a very long Bill, for a large portion of it consisted of mere machinery clauses. The existing law had been found insufficient and unsatisfactory, and the proposed changes would make it altogether unworkable. It was therefore impossible to postpone legislation for another session.

Mr. STOUT thought the Government should have taken the hint of the honorable member for Taieri. The Government had, during the whole of the session, wasted the time of the House by introducing Bills which were not of pressing necessity, and this was one of them. There had been dozens of little tinkering Bills brought in, and the time of the House and of Committees had been wasted, while the more important Bills of the session had been left over until the end of it. He would therefore move, That this Bill be ordered to be read a second time this day month. If the business of the session was not then closed, the Bill could come on again for second reading. He believed the Bill was a good one; but if the Government hoped to get their important measures through, they would have to give up some Bills, and this was one that might be postponed until next year.

Mr. SHEEHAN could not join the party of the extreme left on the present occasion, and would be sorry to see the Bill thrown out in the way proposed. If it had been now first introduced in the House and had not passed the other Chamber, it would be a different matter. But the Bill had passed through the ordeal of the Legislative Council, and with all respect for the House, he would say he had very great confidence in Bills which came from the Council, for he thought they got far more consideration there than they did in the House. The existing law relating to public health was very unsatisfactory indeed, and there was ample evidence of that in the part of the country from which he came. Its working was found to be difficult, and likely to lead to expensive litigation, and he thought the Government had done well to introduce a Bill

based upon the experience they had gained during the last few years.

Mr. HUNTER would support the views of the last speaker, for this was a very important Bill. He might perhaps be pardoned for saying that if honorable members would talk a little less and work a little more the House would be able to pass many useful measures. Some Bill of this kind was necessary, and honorable members ought not to leave their places in Parliament this session without passing a Bill so much required as this was.

Mr. ROLLESTON said the honorable member who moved that the Bill be read a second time that day month could scarcely be aware that the change in the form of government would actually leave the present Public Health Act without any means for its administration. At present the central Boards consisted, first of all, of the members of the local Executive, and they would soon cease to exist. He was quite aware that the existing Act had not worked altogether satisfactorily, but here, as in England, the question of dealing with the public health in the best possible manner was but a tentative matter. He did not believe, if the House considered this Bill for months, that it could be made thoroughly satisfactory. But it would be a pity to drop the measure this session. Having had some little experience as a member of one of the Boards of Health, he was able to say that great progress was being made in dealing satisfactorily with the public health. It required a great deal of caution and tact on the part of local bodies, and the local bodies required a great deal of coaxing and instruction to bring them up to a sense of what was necessary to be done to preserve the public health. He hoped the honorable member would not press his amendment.

Mr. LUMSDEN hoped the honorable member would press his amendment. He thought this was a Bill which could very well stand over till next session. The existing Public Health Act was quite sufficient to enable people to provide efficiently for the public health; but what was wanted was health officers. Judging from the filthy state of the town of Wellington—the filthy drains that were running under people's noses—he would say that it was a health officer that was wanted here. He was sure that, under the existing Act, steps would be taken to purify the town, and make it clean and decent-looking. In the town from which he came, they had ample powers to keep up a decent appearance, on the surface at any rate, and they had a system of underground drains for taking away all foul matter. If there were no powers to compel sanitary improvements in the city of Wellington, he would agree at once to have this Bill carried with the greatest despatch. But he believed there were ample powers in the existing law. If the honorable member for Wellington City, who advised others to talk less and work more, would advise the civic authorities to attend to the public health, it would be better for the town.

Mr. BRANDON agreed with the honorable member for Avon that the passing of the Public Health Bill this session was absolutely necessary,

and he hoped the House would agree to the second reading of this Bill.

Mr. MURRAY-AYNSLEY thought the House should pay due consideration to Bills which came from the other branch of the Legislature, where great care had been bestowed upon them. When Bills had been so framed that the clauses would work well and were sent from the Upper House, this House ought to consider them carefully; or, if they did not, what could they expect when their Bills went to the Legislative Council?

Mr. REID said it was only a certain amount of work that men could get through and give their attention to. He had no faith in alipshod legislation, and they could not throw their responsibilities on the other branch of the Legislature. It was of no use to tell honorable members that the Bill had received great attention from the other House, and that therefore they should accept it; for this House had to deal with the interests of another class of the community, and it was the duty of honorable members to look carefully into every Bill that passed. There was enough business already before the House to last for four weeks at all events. There were three important Bills—the Waste Lands Administration Bill, the Financial Arrangements Bill, and the Public Works Bill—which were not yet before the House, and which would occupy them a long while if they received justice. And now a Bill with 160 clauses was placed before them at half-past twelve o'clock at night, and during the last weeks of the session, and they were expected to deal with it. They were expected to do all this in two or three weeks, as well as to consider other measures of greater importance; but it would be much better to pass a few Bills carefully, and it would be more advisable to wait even six months longer than to hurry through measures of importance. The country would not at all thank the House for shovelling a lot of legislation upon the people, and passing Acts that would have to be repealed next session. Passing a Bill would not put a stop to the stench from the gutters of the city of Wellington, for the people themselves must look to these matters, and the existing legislation was quite sufficient to enable them to do so. It was all nonsense to say that the country could not go on another year with the existing law. The Public Health Act had not been half administered. There were trifling defects in it, but they were not unsurmountable. As to the question of the Superintendents and Executive Councils being done away with, a Bill with one clause would put that all right, and authority could be given to some other local body to carry out the provisions of the Act. A clause to that effect might be inserted in another Bill, and it had been suggested to him that the Financial Arrangements Bill would be a suitable one to put it in. He did blame the Government for bringing in such a number of Bills this session, when the House had so much business to dispose of. Some 140 or 150 Bills had been introduced this session, and how they could be carried through he did not know. He hoped that if they agreed to the second reading of the Bill, its committal

would be postponed for three weeks, for there were other Bills of much greater importance which they should first dispose of.

Mr. PYKE was quite surprised at any honorable member finding fault with the stenches in Wellington, as there was an immense variety of them. If a person did not like one stench he had only to turn round the corner to get another. The town was full of them.

Mr. KENNEDY said that, seeing how near they were to the end of the session, and the amount of business yet to be got through, he hoped the Bill would be withdrawn.

Mr. FISHER hoped the Bill would not be withdrawn. He considered it to be the most important Bill introduced this session. It was of far more importance than the Bill which they had been discussing during the last two or three days—a measure which would be inoperative. They ought to pass the Public Health Bill, if they passed no other this session.

Mr. WHITAKER hoped the House would at any rate read the Bill a second time. It came down from the Legislative Council, where it had been carefully considered. The Bill had been before honorable members for some time. He would propose that the Bill should be committed in the course of two or three days. The Finance Arrangements Bill would stand first on the Order Paper. After that measure was disposed of, if they should find time to consider the Public Health Bill, they would go on with it; if not, it would be dropped. In the meantime he hoped the Bill would be read a second time.

Bill read a second time, and considered in Committee.

New clause.

Mr. WASON moved the following new clause:—"If it shall appear to any local Board that it is inadvisable to have cesspools or water-closets in any part of the district under the jurisdiction of the local Board, it shall be lawful for the local Board to prohibit the use of such cesspools or water-closets within such part of such district, and to order such cesspools or water-closets to be filled up."

Question put, "That the clause be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	10
Noes	...	...	...	20
Majority against ...	...	...	...	10

AYES.

Mr. Barff,
Mr. J. C. Brown,
Mr. De Lautour,
Mr. Fisher,
Mr. Hamlin,
Mr. Joyce,

Mr. Montgomery,
Mr. Stout.

Tellers.

Mr. Hislop,
Mr. Wason.

NOES.

Mr. Ballance,
Mr. Bower,
Mr. Bryce,
Mr. Gibbs,
Mr. Hunter,

Mr. Pyke,
Mr. Reynolds,
Mr. Rolleston,
Mr. Rowe,
Mr. Swanson,

Mr. Kelly,
Mr. Kennedy,
Mr. Lumsden,
Mr. G. McLean,
Mr. Moorhouse,
Mr. Murray-Aynaley,

Mr. Whitaker,
Mr. W. Wood.

Tellers.

Mr. Brandon,
Mr. Sheehan.

The motion was consequently negatived.

The Bill was reported with amendments, which were agreed to, and the Bill read a third time.

The House adjourned at a quarter to two o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 5th October, 1876.

Second Reading—Third Readings—Piako Swamp.

The ACTING-SPEAKER (the Hon. Major Richmond, O.B.) took the chair at half-past two o'clock.

PRAYERS.

SECOND READING.

The Roman Catholic Lands Bill.

THIRD READINGS.

The Bluekin Athenæum Bill, the Milton Boundaries Bill.

PIAKO SWAMP.

The Hon. Mr. CHAMBERLIN moved, For leave to lay upon the table of the Council a plan showing the extent, figure, and position of the Waikato-Piako Swamp grant of 87,000 acres.

* The Hon. Mr. HALL had hoped that the honorable gentleman would have given the Council some information as to what this plan was; because, although the Council was not generally chary in allowing honorable members to lay authentic documents on the table, still he thought it would very reasonably require that this plan should be authenticated. Whether a map was correct or not, might of course very often be a matter of opinion. Any publication or correspondence issued by a Provincial Government, for instance, there could be no question about. But without knowing anything more about the map than they did know, he thought they should be careful before granting leave to lay it on the table, and thereby appearing to give it a certain amount of authenticity. If the honorable member would consent that the map should be referred to the Survey Department to have its correctness certified to, he took it there would then be no objection on the part of the Council to its being laid upon the table. But he would suggest to the Council that it would hardly be right to accept a map without having any knowledge whatever of its correctness. He was sorry his honorable friend had not given them any reasons why he wished the map to be laid on the table, because, if the Council desired to have a plan of this particular block of country, the proper mode of obtaining it would have been to move that there be laid on the table a copy of the plan furnished by the Survey Department. At any rate, he trusted his

honorable friend would not object to state why he desired to have this map laid on the table, and also whether he would not have it submitted to the Survey Office to have its correctness ascertained and certified. Perhaps it would be more convenient if, in order to enable that to be done, he moved the adjournment of the debate. His honorable friend would see that he was not raising any unnecessary difficulty, but that if the motion were at once adopted they would be laying down a precedent which it would not be desirable to establish.

The Hon. Mr. HART suggested that the honorable gentleman should give the soundings with the plan.

The Hon. Mr. ROBINSON hoped the Hon. Mr. Hall was not objecting to the motion of the Hon. Mr. Chamberlin upon any technical grounds. If there was a map of the country, describing and defining the boundaries of the 87,000 acres to which the purchasers of the Piako Swamp were entitled, he did not see why it should not be placed on the table. As to verifying those boundaries, that, he imagined, would be a question hereafter. At present, however, he supposed the purchasers were taking possession of their land under that map. He was speaking as being quite unprejudiced in this matter. He was entirely unacquainted with the country, and knew nothing of the matter in any shape whatever; but he could see the necessity to a certain extent why this map should be laid on the table. The purchase embraced a very large extent of country, and he was under the impression that some of the land was of a very valuable description, and his honorable friend Mr. Chamberlin might be desirous of having this map placed on the table of the Council for the purpose of ascertaining whether it interfered with the boundaries of any land in the immediate neighbourhood. The boundaries of the Piako Swamp seemed to be a kind of myth in the minds of many honorable gentlemen, and the land taken by the purchasers might include a certain portion of country which was never intended to be given in the sale of the 87,000 acres. He could not agree with his honorable friend Mr. Hall that the map should be withheld because it had not been certified to by the Survey Department. Such a certificate might be necessary or it might not; but the purchasers might be either draining, fencing, or ditching the land in accordance with the map that was now in existence, and the production of which the Hon. Mr. Chamberlin desired.

* The Hon. Mr. ACLAND agreed with the Hon. Mr. Hall that the debate should be adjourned in order that they might know what this map was. The Hon. Mr. Robinson said if there was such a map it was desirable that it should be laid on the table; but the Hon. Mr. Chamberlin did not say a single word about the map, so far as the Council at present knew. It might have been made by a passer-by, or by some one who had never been in the province, or it might have been made by a surveyor. But the Council had not received a single word of explanation as to where this plan came from, how

it was made, why it was made, and why the honorable gentleman asked to lay it on the table. He certainly thought that the Council, for the sake of its own dignity, should not consent to anything of the sort, without the smallest explanation. The map might have been made by the proprietors, who might wish to show what the extent of the land really was. On the other hand, it might have been made by a person who had a great objection to the sale; and before it was laid on the table the Council had a right to know something about it.

The Hon. Mr. ROBINSON said that if the honorable gentleman would look at the motion, he would see that there was a plan mentioned. There was no particular map referred to. If there was no such plan of the land as that indicated, of course it could not be laid on the table.

The Hon. Mr. MANTELL said they were fighting with shadows. He was sorry to say that, but he did so under correction, which he would certainly receive at the first opportunity from his honorable friend Mr. Hall. What the Hon. Mr. Chamberlin wished to do was, to lay a map on the table. If the Council assented to the honorable gentleman's request, then that map would be laid on the table; but it would have no more authority on that account, and would have no effect if it did not profess to be an authentic document. The custom had become rather prevalent this session of honorable members moving for leave to lay this, that, and the other on the table. He had seen two pieces of rotten wood laid on the table, with neither the generic nor specific names attached, and yet they were not referred to Dr. Hector for his certificate, which he supposed in the case of rotten wood would correspond with that of the Surveyor-General with regard to maps. He did not see that there was any objection to lay this map on the table. If laid on the table in pursuance of the honorable gentleman's motion, it would carry no more weight or authority with it than was claimed for it by the honorable gentleman when he brought the resolution before the Council; and on that ground only, while objecting to have all sorts of unauthenticated things laid on the table of the Council, he would support the motion.

The Hon. Colonel WHITMORE could not see that there could be any objection to the map being placed upon the table, if it were referred to the Waste Lands Committee for verification. Provided the authenticity of the map could be ascertained, it would be interesting to have it on the table as an historical curiosity. He did not know if honorable gentlemen remembered that there was a discussion about this Piako Swamp two or three months ago, and he thought there was a hostile vote on the subject in another place. Any lesson that was to be deduced from that circumstance would be better imprinted on their minds if they were able to look at a map of the country referred to. He did not know what it was intended to found upon this motion—whether there was any disposition to bring the matter again under discussion in the Council. If there was, he would resist it, because the subject was a thing of the past, and it was desirable, if

not to forget it, that it should not take up any more of their time. But, as a matter of courtesy to the honorable mover, he thought he should be allowed, as other honorable gentlemen had been, to place his plan upon the table. The map, however, should be referred to the Waste Lands Committee, where it would be ascertained if there were any reasonable grounds for believing that it was an authentic document, as far as the correctness of the survey went. He hoped that nothing was intended to be founded on this, because at the present period of the session it was a great deal too late to go into the question of the Piako Swamp. The persons responsible for this particular matter having disappeared so long ago, he thought they would do better, if not to forget it, at any rate not to discuss it.

The Hon. Captain FRASER said that probably the Hon. Mr. Hall's objection to this map might be that, knowing many of the surveys in the South were wrong, he might think it likely that this map was very inaccurate, and it was not desirable an inaccurate document should be laid on the table. Perhaps the Hon. Mr. Chamberlin was prepared to say that this was an accurate map, and that the survey was a good one.

* The Hon. Mr. BONAR thought it most reasonable and proper to adjourn the debate for a day or two, in order to ascertain if the map was in accordance with the official and proper plans of this land. Of course, there must be some reason for desiring to lay such a map on the table. As they all knew, this subject had been a very much disputed one; and if information was to be submitted to the Legislature, the Council should at all events be satisfied that such information was correct. He would support the adjournment of the debate, in order to give the honorable gentleman an opportunity of verifying the map, which he could easily do.

* The Hon. Mr. CHAMBERLIN was sorry that a plan of the Piako should have frightened the Hon. Mr. Hall so much. He did not know what there could be in it so very alarming. It was simply swamp land. Perhaps the honorable gentleman was afraid of being swallowed up in it. He knew of no reason for the production of the map. He was asked by Sir George Grey simply to lay it on the table, no reason being stated for doing so. He thought, the map having been given to him by a gentleman, there could be no question as to its correctness. A gentleman would not be guilty of asking another one to lay a plan on the table that was not in every way a proper one.

Debate adjourned.

The Council adjourned at ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 5th October, 1876.

First Readings—Third Readings—Mr. Buchanan—Abolition Act—Press Telegrams—Clutha River—H. W. Farnell—Mount Pisgah Water-race Company—Manukau Steam Launch—Dunedin Drill-shed Reserve Bill—State Forests Bill—New Zealand University Bill—Rabbit Nuisance Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Auckland Provincial Council Library Bill, the Disqualification Bill No. 3.

THIRD READINGS.

The Ohinemuri Agricultural Leases Bill, the Oamaru Tramways Bill.

W. BUCHANAN.

Mr. SHEEHAN asked the Premier, Whether the Government will take steps to give effect to the report of the Public Petitions Committee on the case of William Buchanan? He wished to state very shortly the facts of the case, in order to enable honorable members to understand the bearing of the question. The petitioner came to Auckland in 1848 or 1850, and his case was similar to those of other persons who had complied in spirit with the requirements of the law, but, through some technical difficulties, were not legally entitled to receive Crown grants. It appeared from the evidence that the petitioner left Auckland in order to go and make his selection of land, but through stress of weather he was detained on the way and did not arrive in time to do it by the date fixed by the Act. The Committee came to the following unanimous opinion:—

"I am directed to report that, in the opinion of the Committee, the petitioner's case is entitled to consideration, and they recommend that legislative power be given to the Provincial Government of Auckland to inquire into this and similar cases, and to award land out of provincial estate, if, after inquiry, it appears desirable to do so."

He might also mention that "The Auckland Waste Lands Act, 1874," when passed through the House of Representatives, contained a clause giving this power, which was unfortunately struck out in another branch of the Legislature. He hoped the Hon. the Premier would introduce provisions in the Bill that was now before the House in order to give power to deal with cases of this kind, as many were likely to arise.

Major ATKINSON regretted that he had not time to go fully into the case, and therefore he would not like to express an opinion as to the steps which it might be necessary to take; but if his honorable friend would consult with him, he would be very happy to see if what the honorable gentleman suggested could be done.

ABOLITION ACT.

Sir G. GREY.—I beg to ask the Government, If they will lay before this House copies of all correspondence, opinion, or advice which they may have received from the Law Officers of the Crown in London, to the effect that the action taken by the General Assembly in regard to the Abolition Act was not, and is not, *ultra vires*? I am induced to ask this question from what I believe is a grave misunderstanding on the subject, which I should like to bring to the notice of

the Government. I have heard it is alleged by the Government that the Queen has assented to the Abolition Act. Now, Sir, Her Majesty has no power to assent to the Abolition Act. The statements made with regard to the law on that matter have been quite misunderstood, and the question I now put bears very much upon the subject. The Queen's power with regard to Acts presented for her assent to the Governor is laid down in the Constitution Act. The Governor may assent to an Act in the Queen's behalf; and, the Governor having so assented, the Act comes immediately into operation. Then there is a provision that Her Majesty, watching over the good of her subjects, may, at any time within two years, dissent from such Act; but Her Majesty is not to dissent from it if not required to do so. The powers of the Secretary of State are, by the Constitution Act, perfectly defined. He has no power of interference in the matter at all, except in one respect: that is, that, Her Majesty being advised by the Privy Council, not by the Secretary of State, that she ought to disallow an Act, the Secretary of State may certify on an order by the Privy Council the date when the Act was received from the colony at the Colonial Office, so that he shows on the order of the Privy Council that it was issued within the two years laid down by the Constitution Act. Lord Carnarvon in his despatch says, "I am now to inform you that Her Majesty will not be advised to exercise her power of disallowance in respect to this Act." Lord Carnarvon had no power in the matter. The whole thing was *ultra vires* in respect to that Act. He might say this: "So long as I am Secretary of State, I will not advise Her Majesty to take the opinion of the Privy Council upon the subject." He would be justified in saying that; but that would have no legal effect whatever. Any other Secretary of State could advise Her Majesty on the subject at any time within the two years allowed by the Constitution Act. I presume she would not appeal to the Privy Council without that advice; but from the time of the receipt of that Act, which would be in January last, Her Majesty has for two years power to disallow the Act. That is a prerogative of which she cannot divest herself, because it has been conferred upon her by the British Parliament for the good of the people of this colony. I am, therefore, very anxious to know whether Ministers are in possession of copies of the opinions of the Law Officers of the Crown in London upon this Act, because nothing else can show that we are justified in admitting the goodness of the Act which the Superintendent of Otago and myself contend to be *ultra vires*.

Major ATKINSON.—The statements made by the honorable gentleman are matters of opinion, and not a mere question. I do not propose to argue the matter with the honorable member at all. I differ from a great deal that he has laid down; but the notice of the honorable member being simply a question, I shall answer it as a question and without argument. The Government are not in possession of any correspondence, opinion, or advice from the Law Officers of the Crown in England. The process through which

a Colonial Act goes, as far as I am advised, is this: Upon reaching the Secretary of State, it is submitted by the Colonial Office to their own law adviser, who then examines it, and, if he finds no fault with it, he returns it to the office. It is then sent to the President of the Privy Council, by whom it is submitted to the Law Officers of the Crown, the Attorney-General and Solicitor-General, who point out what are its peculiar features, and whether it is within the scope of the Parliament having passed it, so to pass it. If it has been reserved for Her Majesty's assent, she then assents to it if so advised; if it is an Act upon which she has a power of disallowance, she disallows it if so advised; and if it is one which the Privy Council thinks should be left to its operation, Her Majesty, if she pleases, leaves it to its operation. That is the process, I understand, which has been gone through with the Abolition Act. It has been left by Her Majesty, after due legal advice, to come into operation in the ordinary course. The Government therefore assume, Her Majesty having been pleased, after consulting her Law Officers, to leave it to its operation, that it is not *ultra vires*, but perfectly within the scope of this Parliament to pass.

Sir G. GREY.—I think I ought to be allowed to answer part of the statement made by the Hon. the Premier, because it is contrary to fact.

Mr. SPEAKER.—The honorable member would not be in order in doing so.

Sir G. GREY.—Then I shall move the adjournment of the House.

Mr. ANDREW.—I rise to a point of order. Is it possible for an honorable member to move the adjournment of the House in order that he may speak to a question put to Ministers?

Mr. SPEAKER.—The honorable member for the Thames is in order. A question has been asked, and a certain explanation has been given. That having been done, the question has been disposed of. An honorable member gets up then and is called to order; whereupon he moves the adjournment of the House, and upon that question it is competent for him to speak.

Sir G. GREY.—Sir, I think the House ought to be adjourned in order that honorable members might have an opportunity of considering the statement made by the Hon. the Premier. We now have a distinct statement from the Premier that the Government are not in possession of any opinion from the Law Officers of the Crown in England respecting the Abolition Act, and the Government simply assume that the Act is not *ultra vires* for certain reasons they have stated. In reply to that, I must hold that the House, before its adjournment, must consider this: that Lord Carnarvon's opinion was based on certain correspondence which was sent to him, and that that correspondence contained no reference whatever to the fact that the Abolition Bill had actually been passed, and that the question of whether it should be passed or not was not to be referred to the constituencies, and that the Provincial Councils were not to be consulted on the subject. That fact was carefully concealed, and the direct opposite of this was implied. And it was stated that the only object

in attempting to prevent the meeting of Provincial Councils was to prevent any complications in the provincial revenues. The attention of the authorities at Home was directed to that single point. Moreover, the words used by His Excellency the Governor in his despatch were these: "That the Government had consented to postpone the actual abolition of the provincial system till after the elections, in order that the constituencies might have an opportunity of expressing an opinion on the subject." The clear meaning of this was, I take it—and this has been the general impression—that all the constituencies interested in the matter were to be consulted. Lord Carnarvon's reply shows that he clearly understood the matter in that light; and I venture to say that no impartial person, who sees the opinion of the Solicitor-General of New Zealand and the Law Officers of the Crown, will say that the Act was not—

Mr. SPEAKER.—The honorable gentleman will excuse me for interrupting him. I have been necessitated this session to point out that on occasions of this sort the adjournment of the House should only be moved in cases of urgency. On a former occasion I had to remind the House that "Unless that privilege were exercised with forbearance, the result would be fatal to the successful conduct of public business." I trust, therefore, that the House will use its discretion in the matter of moving the adjournment of the House.

Sir G. GREY.—Sir, I think this is a question of the utmost urgency. It is a question which involves probably the separation of two large provinces from the rest of New Zealand. It is a question which involves the consideration of whether the Government were or were not justified in using the language which is used in their memorandum to the Superintendent of Otago, language which will throw the whole of the people of the colony off their guard. Judging by that language, it must have appeared to the public at large that the Government were in possession of an opinion from the Law Officers of the Crown to the effect that the Abolition Act was not *ultra vires*. Now, we are told that the Government are not in possession of any opinion from the Law Officers of the Crown in England, and that they simply assume that the Abolition Act is not *ultra vires* through certain circumstances, I submit that the people have a right to know instantly whether the Government were justified in using the language which they did use in the memorandum. I simply wish now, as far as I am concerned, to add my entire belief that the Law Officers of the Crown in England, the Attorney-General and Solicitor-General, have never been consulted. I wish to say further, that, if the Government had done their duty, they would undoubtedly have consulted those Law Officers after receiving the advice which was given to them by their own Chief Justice. The urgency of this matter is clear; because it may be necessary for me, and probably for the Superintendent of Otago also, to telegraph Home that immediate action should be taken to prevent the Abolition Act from coming into force. Consequently, I hope that the question will be con-

sidered with the care which it merits. Having said this, I content myself for the present by now moving the adjournment of the House.

Mr. STOUT.—Sir, I was somewhat appalled when I heard the Premier making his statement to-day. I put it to every honorable member, whether he is an Abolitionist or not, if he would not, upon reading the memorandum addressed by the Premier to the Governor, infer that the Law Officers of the Crown in London had given an expression of opinion that the Abolition Act was not *ultra vires*. In his memorandum to the Governor, the Premier states that Mr. Macandrew says, "he is advised that the action taken by the General Assembly, and assented to by Her Majesty, to amend the Constitution, is *ultra vires*." Now, that is an incorrect statement, because Her Majesty has not assented to the Abolition Act, and I cannot believe that the Premier submitted his memorandum to his law advisers. The Premier, in his reply to Mr. Macandrew's memorandum, says, "It is open for him, if he can, to convince the Courts of law that the advice he relies on is sounder than that of the Law Officers of the Crown in London and New Zealand." Well, I can only say it was known to this House and to the country that the Solicitor-General and the Chief Justice had given an opinion on the subject; and, I ask, is it not to be inferred that the Law Officers of the Crown had given an opinion? I say it is not honest to the House nor to the country to write such a misleading paragraph as this. I am surprised that the Premier, for the sake of influencing the House, the country, and the Bench in favour of the Government, should have done this. If an appeal is made to the Bench, it will immediately be said that the Law Officers of the Crown have given an opinion; and yet the Premier now gets up and says he does not know whether the Law Officers of the Crown have given an opinion or not; but he implies that they have, and at the same time he dares to assert that the advice he relies on is sounder than that of the Law Officers of the Crown in England and New Zealand.

Mr. BALLANCE.—Hear, hear.

Mr. STOUT.—I am not surprised to hear the honorable member for Rangitikei cheer such a statement as this. I notice that, in another place, a motion is to be made for the production of this opinion, if it exists. I do not think the honorable gentleman would say that, since he has been in the Executive, every Provincial Ordinance has been submitted to the Law Officers of the Crown before it has been assented to.

Major ATKINSON.—Yes, always.

Mr. STOUT.—I hardly think that such has been the case. I was saying, Sir, that, in another place, a motion referring to this subject had been given notice of. I was not referring to the proceedings of another House at all. All I desire to say is, that the impression conveyed by the Premier's memorandum to His Excellency the Governor was, that the Law Officers of the Crown had given an opinion on the subject. It now turns out that no opinion has been obtained: at least the Premier says that no opinion has been obtained as far as he knows.

Major ATKINSON.—No.

Mr. STOUT.—The honorable gentleman said he knew of no such opinion having been given.

Major ATKINSON.—I did not say so.

Mr. STOUT.—Well, the honorable gentleman trusted entirely to inference. He trusted that that course would have been adopted, and that this question would have been submitted to the Law Officers of the Crown. I know it is no use to question here the power of this House to pass this Bill. A great many members have gone in for sweeping abolition, and they will pass anything under that cry, whether they have power to do it or not; but the least the Government could have done would have been to submit the question to the Law Officers of the Crown in London, who should also have been informed that doubts had been raised as to the power of this Assembly to pass such an Act. But that was not done. However, one need not be surprised at a memorandum of this character. There have been other Bills passed in an equally objectionable way. The Provincial Appropriations Extension Act was, in my opinion, wrongly passed, and all the money paid under it has been illegally paid. That Act has been again extended for three months; and I can only express my opinion that it will be found that, although the Assembly may have power to abolish the provinces, yet there are sections of the Constitution Act that this Assembly has no power to repeal. That is clearly laid down in section 4 of the Imperial Act of 1862. It was plainly intended by the Imperial Parliament that this Assembly should not have power to repeal all the provisions of the Constitution Act relative to Provincial Councils. This House, however, has presumed that it has power, and I only hope it may be able to prove it in the law-courts of this colony or those of Great Britain. Be that as it may, the meaning of this memorandum is clear. It tells the Governor that the opinion of the Law Officers of the Crown in London has been taken, whereas the Premier himself now tells us that it has not been taken.

Mr. BOWEN.—This discussion is somewhat irregular; but I must express my surprise that an honorable gentleman who is an officer of the Supreme Court should say that it is possible that the Supreme Court could be influenced in its decisions by any memorandum issued by the Government. If the honorable gentleman will consult such authorities as are available here, he will find that there is a very distinct course laid down at Home for dealing with Bills sent Home from the colonies. They go through a very careful investigation, and are submitted to the law officers not only of one department, but to those of several departments, before the Queen gives her assent to them or leaves them to their operation. Therefore the Government are perfectly justified in saying, when a Bill has been left to its operation, that it has been considered by the Law Officers of the Crown, and is in conformity with law. The honorable gentleman assumes that, where no distinct legal opinion has been obtained from the Law Officers, it must follow that there has been negligence on their part, or that they are not responsible, or that the

Crown at Home may have allowed Bills to pass through which were absolutely illegal. I do not think the House or the country will believe such a thing as that of the Law Officers of the Crown in England. The matter may be tested in any way the honorable gentleman likes. I believe it will be found that the Colonial Office is exceedingly careful, and does not allow Bills to pass in such a careless manner as he supposes.

Mr. REES.—The doctrine laid down by the honorable gentleman in relation to the passing of Acts would hold good if the two years during which Acts are left to their operation had expired. It is a maxim of law, that things once done are rightly done; but when a thing is done without any declaration, either on the part of the Queen or her Law Officers, the Queen has power, even up to the last day of the two years, to dissent from an Act, if advised to do so by her Ministers. But the honorable gentleman fought shy of this correspondence between His Excellency the Governor and the Superintendent of Otago (Mr. Macandrew), in which the Ministry wish the House and the country to assume, in the first place, that Her Majesty has assented to the Act, and, in the second, that the Law Officers of the Crown in London have stated their opinion that it is not *ultra vires*. I ask honorable members to look at the correspondence and say if that is not the case. And yet they knew all the time that the Queen had not assented to the Act. Now, Sir, I say there is such a thing as public honor. When a gentleman makes a statement as a Minister of the Crown, the very limit to which that statement can be stretched is taken to be the exact limit of truth. But this is an absolute untruth. The Queen has not assented to this Abolition Act. In the first place, she has no power to do so; in the second place, she was never asked to do so; and in the third place, she has not done so;—and yet Major Atkinson has submitted to His Excellency the Governor a memorandum which states that Her Majesty has assented to the Act. Sir, this compromises the honor of the Crown. All that binds the colony to the Crown is a sentiment of honor; and yet we have a Minister of the Crown, whose duty it is to advise His Excellency the Governor, telling him that the Queen has assented to the Abolition Act, when she has done nothing of the sort! We know that the influence of such a statement is very great. People will say at once, "The Queen has assented to the Act. The Law Officers and the Cabinet, who are responsible to the people of England, have advised her to do so; and if she has been advised to assent and has assented, that is clear proof that the Assembly had power to pass the Act." And so they put it to the country, although they are well aware that the people know very little about these matters, that they are bound to accept the assertions of the people in authority, persons who should only state that which has the ring of truth, and should not make statements which they know are calculated to mislead. Such a thing ought not to be tolerated. No persons are fit to be Ministers of the Crown who, in such matters as these, would create false impressions in the minds of

the people. They say, "It is open for him (Mr. Macandrew), if he can, to convince the Courts of law that the advice he relies upon is sounder than that of the Law Officers of the Crown in London and New Zealand." Now, putting aside altogether the fact that the only advice they obtained in New Zealand was the advice of the Solicitor-General, who is not a responsible Minister, but merely a Law Officer of the Crown in the sense that he is a Civil servant, they fortify their position with this absurd statement, as far as its influence upon the public mind is concerned, that the Law Officers of the Crown in London have stated that this Act is not *ultra vires*. I was not at all surprised when the Premier stated, in answer to the honorable member for the Thames, that the Government were not in possession of any such statement. We have heard of these legal opinions before—legal opinions that never existed. But they say now that they only assume that such an opinion has been given; and I ask the House whether it is right to assume that the Attorney-General and the Law Officers in England have given an opinion upon points of which they are not even aware. They might assume anything else in the world if they assume that; and when the honorable member for the Thames asks if such an opinion has been given, they say, "No, we don't know that such an opinion has been given."

Major ATKINSON.—We do not say so.

Mr. REES.—That is simply another equivocation. The Premier says they do not say so. Will he state positively that such an opinion has been given? The honorable gentlemen say, as they might say in answer to a question in algebra, they do not know that it is not wrong; but will they say that it is right? I ask the honorable gentleman now whether, when he penned that memorandum to the Governor, he did not wish the people to believe that they had the opinion of the Law Officers of the Crown in London? No man would say such a thing unless he wished to create such an impression. They had the opinion of the Solicitor-General of New Zealand, and they put the two together, simply giving precedence to the name of the Law Officers in London, to give the thing weight. They plainly state now, however, that no such opinion has ever been given. I say they do not know, and they cannot contradict me. They are obliged to be silent. They do not know as a fact, and all the reason they have for believing that such an opinion has been given is, that it has been stated by Lord Carnarvon that Her Majesty will not be now advised to withhold her assent to this Act. But Her Majesty may be advised to dissent from it before the two years are up, and I think it very probable that she will be advised, and strongly advised, to dissent from this Act. If it is found that 200,000 of the people of this colony wish it, and that a correspondence like this is passing between the Superintendent and a Governor, that Her Majesty's Ministers are actually guilty of equivocation and are pledging the Governor's name to equivocation in this way, Lord Carnarvon and the other Ministers will be more likely to advise Her Majesty to refuse her

assent. If such means are necessary to bolster up a Ministry in this or in any colony or any community whatever, there must be something wrong behind it. What binds the people to a Government? Only a sentiment of perfect trust and obedience. What do the people care for the Governor or the Ministry of the day, or the Parliament or the Crown, but as they feel they are a portion of the Empire, that that Empire is bound to be governed justly and strictly, and that they are to gain some advantage by being a portion of the body politic? If they find Ministers are to commit actual equivocation, which amongst men of honor would be considered actual untruth, I would like to know what confidence there can be amongst the people under such a Government as that? If the great provinces of Otago and Auckland are to be treated in this way, is it possible that any Government can stand, or that any community can stand, the very existence of the Government in which is based upon such statements as those contained in this memorandum submitted for His Excellency's consideration? This is a most serious matter. It amounts to this, that the people of the colony cannot believe what the Government say; and when the Premier gives advice to the Governor, the people cannot believe that he means what he says, but that he is only making use of words in order to cloak the meaning of what he states—that the real simple meaning of what he states in his correspondence with the Governor and with Superintendents is not to be taken in the ordinary acceptation of language. I would ask the House to consider this matter. Sir, it is a serious matter in relation to the good faith and belief of the people, and their trust in the honor of the Government. If a Government is only to be supported by things of this sort, I would like to ask how a Government can be expected to stand. There will come a time when the people will no longer submit to it, and I do not think that time is very far distant now. I think the Government ought to be very much obliged to the honorable member for the Thames for bringing the question up. I am sure that Otago will see that the answer made by the Government to Mr. Macandrew's despatch amounts to this: that they make two false statements—first of all, that the Abolition Act has been assented to by Her Majesty, which is false; and, secondly, that they have been advised by the Law Officers of the Crown in London that it is not *ultra vires*, which is also false; and if the Government of the country is to be based upon falsehood, that Government will not last long.

Mr. WHITAKER.—Sir, the honorable member states that two things in the Premier's memorandum to His Excellency are false; but if the honorable member had read a little further, he would have seen that the Premier distinctly and correctly states the position in which the Abolition Act now stands. It states,—

"Mr. Macandrew prays that your Excellency will withhold the Queen's assent from any action of the Colonial Parliament having for its object the giving effect to the Abolition Bill, in as far as Otago is concerned. He appears to forget that

the Abolition Act is now law; has been left to its operation by Her Majesty, and will come into force without further legislative action."

Why did the honorable member altogether shut out this? The honorable gentleman took up the next paragraph, which is this:—

"Mr. Macandrew says he is advised that the action taken by the General Assembly, and assented to by Her Majesty, to amend the Constitution, is *ultra vires*. It is open for him, if he can, to convince the Courts of law that the advice he relies on is sounder than that of the Law Officers of the Crown in London and New Zealand."

Every one knows, and the honorable member knows, that the Governor has assented to the Abolition Act on behalf of Her Majesty, and in Her Majesty's name. The Act has been left by Her Majesty to its operation, and Her Majesty has assented to it through the Governor, who holds her delegated authority for the purpose. It appears to me that my honorable friend is making a great deal out of nothing at all; and, as far as I have been able to understand the matter, it is perfectly clear and plain, and this is the position in which the Act stands: it has been left by Her Majesty to its operation. That is precisely what has been done, and that is what is done generally with the Acts that are passed in New Zealand. It used to be so, and I think it is so now. For many years I was in the habit of sending Home Acts, with an explanatory memorandum. The Acts are sent for submission to the Secretary of State and to the Home authorities. I have always understood the practice to be as laid down in "Clark on Colonial Law":—

"The Acts of the session are referred by the Secretary of State to the Counsel for the Colonial Department, who is required to 'report his opinion upon them in point of law.' By this established form of expression is understood to be meant that the Counsel is to report whether the Acts respectively are such as, consistently with his commission and instructions, the Governor was authorized to pass; whether, in the language of the statute, any part of them is repugnant to the laws of England, or to any law made in this kingdom, so far as such law may mention or refer to the Plantations, and whether they are respectively so framed as to give full and entire effect to the purposes for which they may have been passed by the Colonial Legislature. In pursuance of this reference, a report is made to the Secretary of State for the Colonies by the Counsel to his department. The Acts, accompanied by this report, are then transmitted to the President of the Council, with a letter from the Secretary of State for the Colonies, desiring his Lordship to lay the Acts and the report before the King in Council for His Majesty's consideration. At the first Board of Council which is held after receiving this communication, the Acts are referred to the Lords of the Committee of Council for the Affairs of Trade and Plantations, who are directed to report to the King in Council their opinion as to the proceedings it may be proper to take in relation to them. It is understood that the Committee of Trade proceed to select

from the Acts thus referred to them all such as present any point of peculiar novelty or importance, or as give rise to any question of legal difficulty. The Acts thus selected, together with all *private* Acts, are referred by their Lordships to His Majesty's Attorney and Solicitor General for their opinion. When the report of the Law Officers of the Crown is obtained, the Lords of the Committee of Trade enter into the consideration of all the Acts of the session of the particular colony; and it is understood to be a settled rule that, in their deliberations upon this subject, they are assisted by the Secretary of State for the Colonies, in his capacity of a member of the Committee. A report from the Committee of Trade is then addressed to the King in Council, and in this report all the Acts of the session of the Colonial Assembly are classed under three heads. First, if it is thought proper to *disallow* any Act, the report contains a full statement of the grounds of the objection which may exist to it. Secondly, if any of the Acts relate to measures of general and peculiar importance and interest, it is recommended that a special Order in Council should pass for the *confirmation* of them. Thirdly, the great majority of the Acts of each year being usually little more than business of routine and continual recurrence, their Lordships are in the habit of advising that such Acts '*should be left to their operation*.'"

That statement is founded on a report of Commissioners in reference to the West India Islands at a time when they were governed not exactly as they are at present; but it is the course, I believe, always followed when Acts are sent from a Colonial Legislature to England. I ask, looking at that, whether or not the statement in this memorandum, that the Act has been left to its operation by Her Majesty, is not in the precise words of the despatch, and the words used upon all occasions of this kind. I do not think any statement in the memorandum is incorrect or inaccurate. It does not mean that the Queen has specifically given her assent, for her assent in that way was not required; but she did give her assent through the Governor, who holds her delegated authority for that purpose. Therefore it appears to me that the memorandum is strictly correct, and it is not open to all this criticism which the honorable member for Auckland City East has thought proper to pass upon it. With respect to the statement as to the provincial laws not being submitted to the Law Officers of the Crown here, all I can say is that, during the several years I held office as Law Adviser to the Crown, not an Act passed by a Provincial Legislature was ever allowed to go without being submitted to me for my opinion. I am not aware that any alteration has taken place in this respect. I was not aware that this discussion was coming on, or I would have prepared myself with information on this point; but, if I understand rightly, precisely the same course is pursued now as when I was Law Adviser to the Crown. The same process is gone through by the Colonial Government as regards the Acts of the Provincial Councils as is gone through by the Imperial Government as regards the Acts passed

by this Assembly. As regards the legality of the Act itself, the matter stands thus: A question was raised as to whether the Act is *ultra vires*: and the then Attorney-General, the present Chief Justice, gave an opinion that it was not *ultra vires*—that it was competent for the Assembly to pass such an Act; but he suggested that the opinion of the Law Officers of the Crown in England should be taken, and, so far as I understand the matter, that was not done; but it has been submitted to the Law Officers of the Crown in the usual way that Colonial Acts are submitted to them upon all occasions. The Acts are sent to the Secretary of State, and are first submitted to the Counsel of that department, and they are then submitted to the Law Officers of the Crown. The Solicitor-General of New Zealand gave his opinion to the same effect. I presume, in the usual course, the Abolition Act was submitted to the Counsel for the Colonial Department, and to the Attorney-General and Solicitor-General. That is the authority which exists at present in favour of the validity of the Act. On the other hand, let us see what is the authority against it. The honorable member for the Thames gives his opinion most distinctly, certainly, that it is *ultra vires*; but the honorable member is not a lawyer, although his opinion may be as good as a lawyer's. I now come to the honorable and learned member for Dunedin. I am not aware whether he has given a legal opinion upon the subject or not; but what I have heard him say in this House has been as a matter of argument, and not as a legal opinion. I am not aware whether he is now prepared to submit his opinion to the House; at all events, I do not understand that he has given any such opinion up to the present time. I am not aware whether he wishes to give, or is prepared to give, such an opinion. It is not his duty to do so, and he is perfectly right if he pleases only to argue it. When we come to the question of the authorities themselves who have given distinct opinions upon the subject, we find that the honorable member for Dunedin City, simply as a matter of argument as I understood it, stated that the Act is *ultra vires*. The honorable member for Auckland City East has spoken in precisely the same way. He has not staked his professional reputation upon an opinion as to whether this Act is *ultra vires* or not. He has a perfect right to argue out the matter in the way he has done. The honorable member for the Thames has given his opinion that the Act is *ultra vires*; but the other two honorable gentlemen have only argued the question, and have not given an opinion upon which they would stake their reputation on this matter. On the one side we have the absolute and direct opinion of the Solicitor-General of New Zealand and the Attorney-General of New Zealand—the present Chief Justice, and inferentially the opinions of the Attorney-General and Solicitor-General in England, through the despatch of the Secretary of State, that the Act is valid. We all know that when Acts sent Home are considered to be *ultra vires*, the Secretary of State invariably points out in what respect they are *ultra vires*;

that he states the opinion of the Law Officers; and that then such Acts are disallowed, or, when the objectionable matter is not important, are directed to be amended. If there was anything *ultra vires* in this Act, the same course would have been followed; if illegal, the Act would have been disallowed, and the usual course would have been adopted in regard to it. We have, therefore, a fair right to infer that all authority at present is in favour of the Act, and that there is no authority, as far as I can understand, except the opinion of the honorable member for the Thames, in any shape or way against it. The other honorable gentlemen have a perfect right to argue this question as they have done; but, as I understand, they have not given any opinion that would involve their professional reputation that this Act is *ultra vires*. If they had given such an opinion, I admit that there would have been something stronger in favour of the view taken by them that the Act was *ultra vires*. Against the opinion of the honorable member for the Thames, we have the opinion of the Law Officers of New Zealand, and inferentially the opinion of the Law Officers of the Crown at Home, upon which this House is fairly entitled to consider that the Act is not *ultra vires*, and that we have a perfect right to proceed upon it as a valid law.

Mr. REES.—The honorable gentleman misunderstood me altogether. I spoke of the Governor as being part of the General Assembly, and not as Her Majesty's Representative. When the term "General Assembly" is used, it means both Houses of the Assembly and the Governor. What is meant by the assent of Her Majesty is the absolute assent of the Queen, not by the Governor, but by herself. In relation to the other point as to whether I gave an opinion or not, I have only to say that I have already given my opinion plainly, in the House and outside of the House, that the Act is *ultra vires*.

Mr. SHEEHAN.—This question presents itself to my mind as one of considerable importance and urgency indeed; and although there are a large number of important motions on the Order Paper, some of which stand in my own name, I am willing that they should lie over, for I think this is a matter which should be settled. We must bear in mind that in the course of a few weeks the Abolition Act, the legality or illegality of which we are now discussing, will come into force throughout the colony. We should consider this fact: that when this question was raised in 1874, the Government of the day were distinctly warned that they were going to take an illegal step, and yet they allowed a twelve-month to go by without asking for the opinion of the Law Officers at Home upon the point. In 1875 they were again warned that their Act was illegal and still they have allowed another year to pass without taking steps to settle this matter. Their conduct in this matter has not been fair or just. How easy it would have been for them to have asked for and obtained that opinion by telegraph. What did they do within the last few months? They sent Home an unfair representation of the position of affairs in this colony. If they had

received a distinct legal decision upon the question, it was their bounden duty to have directed the attention of the Home Government to it. If, on a question which is distasteful to a large majority of the people of this colony, and to a very respectable minority of members of this House, who were of opinion that the Act was contrary to law, they had obtained an express legal opinion that the Act was valid, they would have had some foundation for the statement they made in reply to the Superintendent of Otago. As to giving my opinion on this question, I have too much respect for the law of the Postmaster-General to rashly call it in question; but I observed particularly that throughout the honorable gentleman's speech he did not state what was his opinion of the law upon this subject. He told us that the honorable member for Auckland City East and the honorable member for Dunedin said so-and-so, and that the honorable member for the Thames had given an opinion; but he himself abstained from saying, and would not say to the House, that the Act of last session was a good and valid law. The case quoted by the honorable member from Clark's "Colonial Law" is not applicable to the present case, inasmuch as the practice then was different from the practice followed at the present time. When an Act is reserved for Her Majesty's assent, the Governor has no power to assent to it; and if the Governor assents to Acts on her behalf, she has the option of disallowing them if she thinks proper. The 58th section of the Constitution Act states as follows:—"Whenever any Bill, which shall have been presented for Her Majesty's assent to the Governor, shall by such Governor have been assented to in Her Majesty's name, he shall, by the first convenient opportunity, transmit to one of Her Majesty's Principal Secretaries of State an authentic copy of such Bill as assented to;" and then the clause goes on to state that "it shall be lawful, at any time within two years after such Bill shall have been received by the Secretary of State, for Her Majesty, by Order in Council, to declare her disallowance of such Bill." With regard to what has taken place in reference to this Act at Home, the position which the Hon. the Postmaster-General takes up is this: that the Act has gone Home—that it has gone through the ordinary routine of Acts sent Home for inspection and approval of the Crown; and because we have not heard that this Act is *ultra vires*, we are entitled to say that it is good and valid. Well, after some years' experience as a Provincial Officer, I can state that Acts of the Provincial Council of Auckland have always been subjected to the revision of the Law Officers of the colony in Wellington. What has happened? Many of these laws that have been passed by the Attorney-General have subsequently been declared to be *ultra vires* in the Supreme Court of the colony. This very law, upon which we are now building up abolition, although passed by the Law Officers of the Crown, might be found, if tested before the proper and competent tribunal at Home, to be absolutely bad, notwithstanding that Her Majesty had not been advised to disallow it. We all know what

it is to take the opinion of counsel upon a statement of facts made out in our own favour, as this case has been made out in favour of the view taken by Ministers, and the value to attach to such an opinion. We all know that an opinion on any point of law given in this House is not of the same value as a statement of opinion in any case given by a competent legal tribunal. When I took up the papers containing the telegrams that passed between the Superintendent of Otago and the Governor, I came to the conclusion at once that the Government had obtained absolutely the opinion of the Law Officers of the Crown at Home to the effect that the Abolition Act was not *ultra vires*, but one which this Assembly was competent to pass. Those telegrams have gone all over the country, and they have been read by every intelligent person. The Government have falsely represented to the people of the colony that the Act is not *ultra vires*—that such was the advice given by the Law Officers of the Crown. That is not a fair kind of tactics for the Government to adopt. Let us have fair-play. If the question is not settled, the Government have no right to say that it is settled. The explanation given by the Hon. the Postmaster-General would come well from a person acting as a special pleader—if pleading specially to a declaration before you, Sir, sitting here as Judge of the Supreme Court, you are asked to decide a thing not upon its merits or justice, but upon technicalities. What is the position taken up by the Superintendent of Otago? He says, "I have gone from the Assembly, and I intend to test the legality of the Act under which it is sought to abolish the Province of Otago." What should have been the attitude of the Government? They were bound by every possible obligation to have answered him carefully and correctly. But what do they say? They inform Mr. Macandrew that the Queen has assented to this law. That statement is untrue. They tell Mr. Macandrew that his law is not of equal value to that of the Law Officers of the Crown at Home, and the Law Officers here. They have not yet got the opinion of the Law Officers of the Crown at Home.

An Hon. MEMBER.—They don't want it.

Mr. SHEEHAN.—There are some men who require neither law nor reason, but simply require to belong to that body which will exercise brute force—that will overcome every argument, oppose justice, and carry out its decision in the face of reason and prudence. No doubt my honorable friend thinks it a great waste of time to consider a question of this kind. They look at the Abolition Act not in regard to the effect which it will have upon the morals and well-being of the people, but as to its effect upon the revenue. I am sorry, indeed, that the Government should have so far departed from what I consider fair party warfare as in the first instance to have sent a one-sided statement of facts to Her Majesty at home, and subsequently, in reply to the Superintendent of Otago, to have made statements that were not warranted by facts. The people who read the telegrams will now be of opinion that the question as to the validity of the Act has been

raised at Home and definitely settled. Well, it is possible that this Act may have gone through the ordeal of inspection at Home and been approved by the Law Officers of the Crown, and yet, before a competent tribunal, it might be held to be bad in law.

Mr. WHITAKER.—The honorable gentleman says that I expressed no opinion myself—that I carefully evaded the question as to whether this Act was *ultra vires* or not. Now, looking at the authorities there were on the subject, I did not wish to obtrude my opinion on the House. As the honorable member has challenged me to say what I think on this subject, I say that, after the most careful and deliberate consideration of the matter during the last twelve months, I have come clearly to the conclusion that the Act is not *ultra vires*.

Sir G. GREY.—I wish to say a few words in reply. I wish to know in what way the statements put forth by the Government can reach the public.

Mr. MANDERS.—I ask whether the honorable member is in order in addressing the House. The honorable gentleman has, with something like a surprise motion, introduced one of those constitutional subjects which require careful consideration. The honorable gentleman is going to reply to arguments on a motion for the adjournment of the House. I ask you, Sir, whether that is in order or not.

Mr. SPEAKER.—The honorable member, in my opinion, is in order. When a motion for adjournment supersedes another as an amendment, there is no right of reply; but when it is a substantive motion, as at present, there is a right of reply. These, however, are motions that ought to be used very sparingly indeed.

Sir G. GREY.—I beg to say a very few words in reply. I think a most unfair impression has been created throughout the entire country upon the subject of the validity of the Abolition Act. In the whole course of my experience, I cannot recollect anything equally unfair, looking at the magnitude of the question at issue. A distinct statement is made that Her Majesty the Queen assented to this Act; and not only that, but that assertion has to be read in connection with the statement that, in the opinion of the Law Officers of the Crown at Home, the action of the Assembly in regard to the Abolition Act was not *ultra vires*. Both of those statements were absolutely untrue. I regret to use those words; but Her Majesty has not assented to the Act, and the Law Officers of the Crown have given no such opinion. In every village of New Zealand by this time, by the aid of the telegraph, those positive statements by the Government have been made known to the inhabitants. It is now extremely difficult to eradicate the impressions made on their minds, and we have no hope of eradicating them, because we cannot send telegrams throughout the country in the manner the Government can. I consider, therefore, that this was a matter of the most extreme urgency, and I conceive we were quite justified in bringing the subject before the House. I am sure that every person who possesses a fair mind will think that the posi-

tion in which we have been placed is most unfair and most unfortunate. I really hardly know in what language I should properly characterize the action which has been taken to create a wrong impression throughout the whole of New Zealand, and to obtain adherents to a cause which I think would otherwise have been a falling one. I believe, Sir, that in raising this question I have thoroughly done my duty. I believe that the House has never before completely understood the position of the Queen in reference to these Acts. If the Governor had not assented to the Act—if, as I believe it was his bounden duty to do, he had reserved the Act for Her Majesty's assent—I believe the validity of the law would have been tested. The question would have been raised whether or not the Queen could be properly advised to assent to such a law, and whether or not it was *ultra vires* for the Assembly to pass that Act. But no such question was raised. The Governor assented in the Queen's name. Neither the Governor nor the Solicitor-General made a candid or true statement of the object and intentions of the Act, the position of the population of the colony, or of what had taken place.

Major ATKINSON.—I understand the honorable gentleman said the Governor did not make a candid statement. I take it that that is language which ought not to be used in this House.

Mr. SPEAKER.—I think the honorable member is not in order in referring to the Governor in that direct manner. I took occasion, in a former debate, to check an honorable member who referred in the same direct manner to the proceedings in another branch of the Legislature. The same principle ought to guide us in reference to the action of the Governor of the colony, who is guided by his Responsible Advisers.

Sir G. GREY.—Then I will say that His Excellency was not advised to make that full and candid statement which it was imperative upon him to have made when the question of the Constitution of the country was at stake. That is my deliberate opinion. I say, therefore, that the House should recollect that what took place was this: that the Governor having been advised to give his assent to this law without referring it to the Queen, the law was left to its operation; and Her Majesty's Advisers, knowing that at any time within two years representations could be made of the unwillingness of the subjects of this country to submit to it, thought there was no necessity for such supervision of the law as is exercised where the law is submitted for the Queen's assent. And I say there was nothing in the despatches sent Home containing this law, nothing in the opinion of the Solicitor-General in reference to it which was at the same time sent Home, which raised any one of the real points at issue—any one of the points which had been debated in this Assembly, and which had been agitating the minds of the entire country. I contend that all those points ought to have been raised, and fairly submitted to the authorities at Home. We have been told—and I was very glad to hear the state-

ment made—that even in the case of laws made by Provincial Councils, which were submitted to Crown Law Officers appointed by this Assembly, and approved of by them as being lawful, upon questions being brought before the Supreme Court it was found in some cases that those laws were *ultra vires*. And I believe myself that even if the Law Officers of the Crown had been consulted upon the Abolition Act, it would hereafter be admitted, upon appeal to the Supreme Court, and ultimately to the Judicial Committee of the Privy Council, that this House had no power whatever to pass the Abolition Act. The Hon. the Postmaster-General made frequent sarcastic references to my having given the opinion that the Abolition Act was *ultra vires*; that I was no lawyer; and that no lawyers had given that opinion. I believe myself that he knew well that one eminent Judge was of that opinion, and he did not tell the House that fact.

Mr. WHITAKER.—I did not know of it.

Sir G. GREY.—I am surprised to hear that statement. I believe the honorable gentleman is the only member coming from the Auckland Province, or at all events from the vicinity of the city of Auckland, who does not know that. I believe that is the case; and many other lawyers in the country hold that opinion, as well as other lawyers out of the country. The honorable gentleman knew that the Chief Justice himself admitted there was such a doubt that the opinion of the Law Officers of the Crown in England should be taken. All those facts were omitted by the honorable gentleman, who made one of the most wandering and garrulous speeches in reference to the subject that I ever heard.

Mr. WHITAKER.—Is the honorable member speaking of his own speech? Because, if he is, I quite agree with him.

Sir G. GREY.—I have simply to affirm what I have said as the fact. I still hope that the Government will take some means to have telegraphed to other parts of the country besides Wellington the fact of the admission they this day made, that they are in possession of no opinion, no correspondence, no advice from the Law Officers of the Crown in England to the effect that the action taken by the General Assembly in regard to the Abolition Act was not *ultra vires*, and will, at the same time, communicate to the whole of the inhabitants of New Zealand in the same rapid way that Her Majesty the Queen has not assented to the Abolition Act, and that they have committed a gross wrong in permitting the Governor to forward a statement of that kind under his own name and with all the authority of his office.

Motion for the adjournment of the House negatived.

PRESS TELEGRAMS.

Mr. JOYCE said the motion standing in his name was not of very wide-spread importance, or rather, was confined in its interest to a comparatively small section of the community. He would, therefore, be as brief as possible in explaining his reasons for placing it on the Order Paper. They were these: There were two sections

of the Press using the telegraph, but there was a difference in the charges levied on these two sections of 50 per cent. Any papers receiving their telegrams during the day had to pay twice as much as those which received theirs during the night. Incidental to that was this other fact: that the papers which received their telegrams during the night received practically an unlimited number of words, whereas those receiving them during the day were restricted to a comparatively small number. The effect of this was, in the first instance, to give a very handsome bonus to one section of that trade—if he might so designate it—and, in the next, to give it trade advantages, to a very high degree, over its competitors, as he might call those papers published in the evening. The objection to the uniformity of tariff was, he understood, that the pressure upon the Telegraphic Department during the day was so great that it would be unable to overtake the work if the evening papers were allowed to have their telegrams transmitted in equal numbers to those transmitted at night. As, however, telegrams were transmitted during the night to an almost unlimited extent, it might be argued that, if the officers employed during the night were employed during the day, so as to give the same advantages to all, there would be no real difficulty. There must be double the number of operators employed to convey those messages sent during the night; and if these were placed on the day staff there would be very little difficulty in overtaking the work. If there were such a difficulty, it might be obviated by keeping the offices open for an hour or two later in the afternoon, and it would be also possible to limit the hour at night at which telegrams might be sent. At present, he understood telegrams were not unfrequently being transmitted throughout the whole night. That must bear very hardly upon the department; and he felt certain, if the staff were employed during the day, there would be no difficulty in overtaking the work. An illustration of the differential tariff now levied might be found in the Customs Department. Supposing there were two importers in the same line of business, and the Government were to say to one of them, "If you will pay your duties during the night, we will take off 50 per cent.," would not that be to give him a great advantage, so that he would be able to undersell his competitor? For, after all, these words telegraphed to newspapers were practically merchandise, and the paper which had 50 per cent. taken off the charge got so much advantage over its competitor. It might be possible to arrange this matter satisfactorily to both parties, by somewhat limiting the number of words allowed during the day, as well as those allowed during the night. He had seen what he thought almost an abuse of this freedom of transmitting telegrams at night. He had seen thousands of words needlessly transmitted during the night, the transmission of which must have kept the whole department at work, and necessitated the keeping up all night of many young persons, who, in the hope of getting better paid, were not unwilling

to do work the consequences of which must be very prejudicial to them.

Motion made, and question proposed, "That, in the opinion of this House, it is desirable the charges for Press telegrams should be uniform."

—(Mr. Joyoe.)

Mr. WHITAKER would like to place honorable members precisely in possession of the state of this matter at present. With regard to the proposal of the honorable member, he would point out that, if carried, it would exactly do away with what he wanted to arrive at, as it merely asked that the charges for Press telegrams should be uniform. The real fact of the matter was, that the only exception in favour of any portion of the Press was in favour of the evening papers, and all other papers were on an equal footing with each other. Press telegrams sent between the hours of eight a.m. and five p.m. were charged half ordinary rates; and from five p.m. to the time when the offices closed, the charges were, for the first 25 words 6d., and for every 25 words in addition 3d., or at the rate of 1s. 3d. for 100 words. The evening papers had precisely the same privileges as the morning papers, because they could send during the day telegrams in the same way as morning papers. They could both send telegrams at half the price charged to the public, and had the additional privilege of sending them at a lower rate during the night. The point of the matter was this: that it did not suit the evening papers to send their telegrams between the hours of five and eight p.m., because their publication took place at five o'clock. They therefore could not avail themselves of the cheaper rates in the evening which the other papers enjoyed. In order to meet that difficulty, a special exemption had been made in favour of the evening papers, and they were allowed during the business hours of the day to send 200 words at the same rate as the evening telegrams were transmitted. Under all the circumstances, he thought 200 words were sufficient; but in the case of mails from Australia or England, the evening papers were allowed to receive an additional 200 words, making 400 in all at the cheaper rate. This was a privilege the morning papers did not enjoy. As regarded the Press generally, he might say that the Press in New Zealand was more favoured in this respect than the Press in any other colony, or in England. For the information of the House he would read the charges made in other countries. In England the charge was, by day, 75 words for 1s., and by night 100 words for 1s. In Victoria, between the hours of half-past eight a.m. and six p.m., 10 words for 6d., and 1d. every additional word—very nearly the same as in New Zealand, except that we sent 12 words instead of 10 for the same price. Between six p.m. and eight p.m., 100 words and under, 1s. 6d.—in New Zealand 1s. 3d.—and every additional 50 words and under, 6d. The difference in Victoria was that the office was open for one hour in the day for evening papers—between one and two o'clock p.m.—whereas in New Zealand there was no limitation as to the time, and they could send 200 words at any hour during the day. That was a privilege

not accorded in Victoria. In South Australia charges were, for the first 10 words 6d., every additional word 1d., and there was an exemption whatever. The Press of South Australia had therefore to pay precisely what the paid here during the day, but had no privi- a lower charge between five p.m. and eight p.m. In Queensland the charge was, for the first 10 words 1s., and for every additional word that the papers had to pay the full rates, and no privileges as in New Zealand. In New Wales also the rate was 1s. for the first 10 words and 1d. for every additional word, or more double the rates charged in New Zealand. Consequently the Press of New Zealand had more privileges than the Press of any other colony quite as great as that in England. He would object to increase the number of words that be sent during the day, were it not that he was informed by the department that it would much interfere with the business of the general public. The evening papers had the same privileges as the morning papers in sending telegrams at night, and had the additional privilege of sending 200 words at reduced rates during the ordinary occasions, 400 words when the English or Australian mails arrived, and 500 during the session of the General Assembly. On the whole, he thought the House would come to the conclusion that, as the matter stood at present, the papers received all they were justly and lawfully entitled to. He therefore hoped the motion would not be passed.

Mr. REES was surprised and grieved to hear the honorable member for Waikato state, as a reason why additional privileges should not be granted to the Press in New Zealand, that the Press was better treated than the Press elsewhere.

Mr. WHITAKER had objected on account of the interference with the business of the general public.

Mr. REES thought it would not interfere with the public business in the slightest degree. The public would get far more information regard to public occurrences by giving the Press an advantage to the Press than by any other means. It was the Press which conveyed all news throughout the country; and he was sure the House could not do better than throw open an avenue to the Press, so as to enable it to convey news concerning markets and politics and literature and everything else throughout the country. He trusted that the House would not be misled in a matter of this sort by what was called the interest of the public. It was private business, not public business, that would be interfered with if there was any interference. If the business of private individuals was interfered with, the number of telegraph officers be increased. It was only a matter of expense. If the Press was exercising any influence on public opinion by thoroughly informing the people on all subjects, there ought to be a larger staff of officers employed, so that private interests should not be interfered with. But private interest should not interfere with public interest, and the interest of the Press was public interest. He trusted, as they hoped to make New Zealand a leader among communities,

that honorable members would, in this as in other matters, give every facility for the circulation of public opinion. They could never give them that more efficiently than by having free intercommunication of ideas, and intelligence of all social and political movements that were going on. He hoped the Government would not oppose the measure, and that the House would see that it was necessary to allow the Press to receive as much news as possible at the lowest possible cost.

Mr. MURRAY said that, although he did not agree with the motion, yet he did not think that if it were carried it would be so advantageous to the Press as some honorable members seemed to think. While on the subject, he might say that he found on inquiry that the Press telegrams for last year only amounted to £6,988, and that the loss upon the Telegraph Department was £19,477 a year. He thought that a great deal of money was wasted on Government telegrams. During the past twelve months, the cost of the Government telegrams alone had been £16,154 6s., as against £48,000 a year derived from the public at large. Thus, one-third of the whole number of the telegrams were sent by the Government. He found that the Native Department alone sent telegrams to the value of £3,609 14s. a year. He would suggest to the Government that each department should be charged with the amount of its expenditure in telegrams, and that that amount should be voted by Parliament.

Mr. MANDERS said he was deeply sensible as to the views which were held by the proprietors of the Dunedin evening papers on this subject at all events—namely, that they should be allowed to receive messages on the same terms as the morning papers, and he was sure those views were shared in by the proprietors of all evening papers throughout the colony. As he understood the matter, the objection of the Hon. the Postmaster-General to the motion was that, if it were carried, there would be so great a pressure on the wires that the public would be inconvenienced. He was quite certain that the evening papers might be allowed the same privilege as the morning ones—to the extent of 500 words per day, at all events. Even if this privilege were granted, he did not believe that every evening paper in the colony would take advantage of it when Parliament was not sitting. He had no doubt that the opposition which was offered to the motion was regulated by the experience of a very recent date. The motion was very vaguely worded. It merely said, "That, in the opinion of this House, it is desirable the charges for Press telegrams should be uniform." The real question at issue was not made apparent in the motion. That question was whether the evening papers should have the privilege of receiving 500 words at the rates which they at present paid. It was, after all, but a question of extending to the evening papers the privilege granted to the morning papers. Speaking as one who felt interested in newspaper work, and who had made inquiries on the subject, he could say that the evening papers in Dunedin had been very fairly treated.

He hoped that the Hon. the Postmaster-General would see his way to removing his objections to the motion, and that the evening papers throughout the colony would be allowed to receive 500 words per day at the present rates.

Mr. BARFF said he had had very considerable experience in connection with both morning and evening newspapers, and he must say that the proprietors of evening papers throughout the colony felt themselves aggrieved at not having received the same advantages that the morning papers had. With regard to what the Hon. the Postmaster-General had said about the evening papers receiving information at low rates, he might be allowed to say that such information was frequently not worth what it cost. He could say from experience that the telegrams, which were hurriedly sent to the newspapers as a rule—he meant the ordinary Press telegrams—often came through in such a form that a man required to be specially trained before he could understand what they meant. A person might read them backwards or forwards; but unless he had had special training, he would not be able to make head or tail of them. He had, unfortunately, wasted an immense amount of time in deciphering those telegrams; consequently he was able to express an opinion regarding them. He was not surprised that the honorable member for Bruce objected to the motion. If he was not mistaken, a morning newspaper published in the district represented by the honorable gentleman had been threatened with an action for copying telegrams from other papers without having paid for them, and without even having acknowledged the source from which they were derived.

Mr. MURRAY wished to observe that he had no connection with any newspaper.

Mr. BARFF had not said that the honorable gentleman was connected with the newspaper in question, or any other. It was even possible that he never read that paper. He had merely said that a paper published in the district which the honorable member represented had been threatened with an action for copying telegrams for which it had not paid. Speaking as a man who had had a large amount of experience, he said that the morning papers did copy telegrams from the evening papers. They copied them without acknowledgment, and without paying for them—they hashed them up, in fact, and reprinted them, while the evening papers had to pay a high price for them. He might possibly be wrong in what he was going to say, but he would remind honorable members, and especially those gentlemen who were connected with the Press, that at the time the alteration was made in the rate of payment in favour of the morning papers, there was a very general impression abroad that the morning papers were especially favoured in the transmission of news for a certain reason. It was believed that the Government of the day had carefully considered the politics of the morning and evening papers—one against another; and that, as the politics of the evening papers of the day were opposed to those of the existing Government, the alteration was made more as a punishment to the evening papers than

as a question of policy. That impression prevailed to a very considerable extent; and he hoped that the Government would now see their way to remedying it, by putting the morning and evening papers on the same footing. He did not believe that the convenience of the public would be interfered with during the daytime if the motion was agreed to; and therefore he hoped that no opposition would be shown to it.

Mr. STOUT had one or two remarks to make with reference to this matter. He was of opinion that there should be no distinctions whatever made between the various sections of the Press. But, nevertheless, distinctions were drawn. The hours for sending Press telegrams were so arranged that the messages, as far as the evening papers were concerned, were almost perfectly useless. The morning papers had greater advantages than the evening journals. He believed that if now, when great strides had been made in the way of telegraphic communication throughout the colony—when fresh wires had been erected—the Telegraph Department would only consider the matter, there would be concessions made to the evening papers; and he thought the motion of the honorable member for Wallace should be affirmed by the House. He hoped the House would carry the motion.

Mr. REYNOLDS said it was amusing to hear honorable members calling out about retrenchment. That was a very good cry, no doubt; but he imagined that when honorable members were deeply interested in a matter, they were not so very particular about retrenchment. It was very well known that if the wires were occupied with Press messages during the daytime, it would be impossible to send other messages for the public. The Press throughout the colony had received the greatest consideration from the Telegraph Department, and he hoped the Government would set their face against granting any more concessions to it. With regard to the evening papers, he might say that after a certain hour in the day any of the papers could send telegrams at a very low rate—he believed twenty-five words for sixpence—which was very much less than the public were allowed to use the wires for. He quite agreed that it was desirable to give the Press every opportunity of obtaining and circulating the fullest information throughout the colony; but to grant further concessions would only increase the loss of the department. At present, the Telegraph Department did not pay its expenses, and therefore they should be chary in dealing more liberally with the Press in the matter of telegrams. He trusted the Government would not support the motion of the honorable member for Wallace.

Mr. JOYCE said he would reply in the shortest possible way. He thought that the Hon. the Commissioner of Telegraphs had wandered away into regions to which his motion really had no reference whatever, by referring to the Press in this and every other part of the world. The only thing that his (Mr. Joyce's) attention was directed to was this: that an exceeding unfairness existed between the two sections of the Press in this colony—that the charges made to the even-

ing papers were much greater than those made to the morning papers. The honorable member for Port Chalmers seemed to have got thoroughly imbued with the rules of the Telegraph Department, and was apparently unable to shake them off. He appeared to have listened to what had been told him by those who were interested in the department, and had, in fact, been entirely guided by them. He had no doubt that the department, as was the custom with all departments, would wish to keep things as they were. It had been said that it would not do to send those messages during the day; but after all it was nothing but a question of another wire or so being erected, and a couple more operators being employed during the day instead of during the night. Ten times the work was done at night; and instead of its being found to be a matter of retrenchment, it cost a great deal more than the actual departmental receipts. He felt quite satisfied it would be no strain on the department to do all that was asked for by the motion.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	14
Majority for					12

AYES.

Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Burns,	Mr. Pyke,
Mr. Curtis,	Mr. Rees,
Mr. De Lautour,	Mr. Richmond,
Mr. Dignan,	Mr. Sharp,
Mr. Fisher,	Mr. Stout,
Sir G. Grey,	Mr. Swanson,
Mr. Hodgkinson,	Mr. Takamoana,
Mr. Kennedy,	Mr. Thomson,
Mr. Larnach,	Mr. Tolc.
Mr. Lumsden,	
Mr. Macfarlane,	<i>Tellers.</i>
Mr. Manders,	Mr. Barff,
Mr. Nahe,	Mr. Joyce.

NOES.

Mr. Bowen,	Captain Morris,
Mr. Bunney,	Mr. Pearce,
Mr. Fitzroy,	Mr. Richardson,
Mr. Gibbs,	Mr. Whitaker.
Mr. Hunter,	
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Kelly,	Mr. Murray,
Mr. G. McLean,	Mr. Reynolds.

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Sheehan.	Mr. Cox.
The motion was consequently agreed to.	

CLUTHA RIVER.

Mr. PYKE, in moving the motion standing in his name, assured the House he had not done so without fully considering what was implied in it. The Clutha River, which had its sources in the lakes at the extremity of the Province of Otago, was already navigated for a considerable distance,

as far as the mouth of the Tuapeka River in fact; and the object of the motion was to execute a flying survey of the river above that point, so as to ascertain whether it could not be navigated farther up. That it was practicable, he had no doubt whatever. The navigation was impeded here and there by loose rocks, and there were one or two places where the navigation was impeded by rocks abutting upon the river. He was satisfied that for a small sum of money—for a less sum than could make a mile of road—the whole river would be made navigable from the sea up to the Lakes. If it could be done for a moderate sum, he thought the House would agree that it would be a desirable work to accomplish. It would save off application for railways for many years to come, and would at once establish cheap communication between the extremity of the Province of Otago and the sea-coast. He held in his hand Captain Hutton's Geological Report of the Province of Otago, in one of the Appendices of which Mr. McKerrow, Chief Surveyor, supplied the altitudes of the Clyde River. At a place called Ettrick it is only 211 feet above the sea level, and that was a point where it was proposed to construct two railways—one from Tuapeka, and one by way of Waipahi and Tapanui. This point is only sixty-five miles distant from the sea-coast, and that gives a fall of not more than three and a quarter feet per mile, and nothing prevented the river being used now for purposes of navigation but the presence of a number of loose boulders. For the next thirty-five miles, the elevation is seven feet per mile; and for the next thirteen miles it is four feet per mile. That brought them to the township of Cromwell, which was, in point of fact, 113 miles in the interior. There was every possibility of the river being made navigable, at an expense of £2,000, by the use of modern appliances, such as dynamite and nitro-glycerine. Many years ago, before these agencies were known, a survey was made by Dr. Hector; but the theory of explosion was not then fully understood, and the navigation was not proceeded with beyond the mouth of the Tuapeka River. The extreme point named was Lake Wanaka, at an altitude of 906 feet above sea level, and 148 miles from the sea-coast. Therefore he saw nothing to prevent the whole river being made navigable; and if that were done the whole of the wool and other produce of the district could be sent down by this means, and this alone would give a stimulus to the district which could not be afforded by railways for half a century to come. From Tuapeka to Beaumont, was a distance of eleven miles; and were the railway continued to that point—which might easily be done, as, with the exception of one hill, it was level country—the river boats would be brought into direct communication with the present line, as, indeed, they would also at Balclutha. There was a great scarcity of engineering books in the libraries both here and in Dunedin; but he had ascertained one fact which he would mention to the House. From Yale to New Westminster, on the Fraser River, British Columbia, was a distance of ninety-five miles, but the current was so strong that it took a steamer two

days to work up, being at the rate of two knots an hour, but they could come down without steam in two hours—thus showing that the current ran at the rate of sixteen knots an hour, and that to make two knots against it the boats had to do eighteen knots. There is no part of the Clutha River where there is anything like such a current. He had always regarded that great river as an unused work, destined to perform a very important part in the settlement of the country. It was Nature's highway into the interior, and it was a great pity that the people should be making roads over mountains and railways by all kinds of circuitous routes, when Nature had already placed the means before them for gaining access to the interior. He trusted the Government would not oppose the motion. He might mention that in 1862 some miners purchased two boats, and with man-power took them up to the Clyde. If men could row boats against the current, surely there was no earthly reason why, if the impediments to navigation were removed, steamboats should not go up there also.

Motion made, and question proposed, "That this House will, to-morrow, resolve itself into a Committee of the whole, to consider of an address to His Excellency the Governor requesting that he will recommend to this House an appropriation of £200 to defray the expenses of a flying survey of the Clutha River, with the view of ascertaining the practicability of the navigation thereof to the Wanaka Lake or any intermediate point."—(Mr. Pyke.)

Mr. RICHARDSON said the honorable member for Dunstan some little time ago brought this matter under his notice, and steps were then taken to get the best information upon the subject. He found that the survey the honorable gentleman spoke of would take more time than was then at the disposal of the District Engineer, and that officer was therefore unable to comply with the instructions that were sent to him from Wellington. If the honorable member would withdraw his motion, he would undertake, on behalf of the Government, that the District Engineer should make such a survey as was requested; and if the report should be as favourable as the honorable member had led the Government to expect, and had led the House, by his remarks that afternoon, to expect, there would be very little difficulty in bringing down a recommendation for such a sum of money as the honorable gentleman had named, and he believed the House would cheerfully grant it. He hoped, with that understanding, the honorable member would not press the motion, but would be satisfied with the statement made on behalf of the Government.

Mr. MANDERS would ask the Minister for Public Works what engineer would be employed; whether an engineer having sufficient knowledge and experience in such matters would be selected, or an ordinary officer, who would not be impressed with the value of river navigation, which was a matter that very few people understood.

Mr. RICHARDSON said the officer who would be employed would probably be the District Engineer resident in Dunedin (Mr. Blair). If

not, some other officer would be appointed by the Engineer-in-Chief.

Mr. THOMSON had no doubt that the honorable member would withdraw his motion after the assurance of the Minister for Public Works that he would endeavour to get a survey made of the river by one of the engineers. This matter had been before the House upon several occasions, and he had very much pleasure in supporting it. To his knowledge, the river had been navigated for the last thirteen years up to the mouth of the Tuapeka River. There was only one obstruction in the whole course, apart from sandbanks and snags, which were found in all rivers. There was one ledge of rocks, which ran across the river, and were known as the Ecclefechan Rocks. He believed that beyond the Tuapeka mouth there were rapids and other obstructions; but those who had been in the interior of the country knew that the Clutha, even far above Clyde, was a very large river—that it looked at that township almost as large as near its mouth. A very interesting report was prepared by the late Mr. Balfour, and presented to the Provincial Council of Otago, with regard to the Clutha and other rivers and harbours in that province. That report was well worth reading, and he would be happy to point it out to any honorable member who took an interest in such matters. It appeared from it that the Clutha discharged more water into the sea than the Nile itself, and was much larger than many of the well-known rivers of the Old World. A few hundred pounds would be very well spent upon this work, and he had no doubt it would lead to very good results.

Mr. PYKE understood the assurance of the Hon. the Minister for Public Works to be that he would take care that the engineer sent to make the survey would be qualified to do so. An ordinary road engineer might probably not have the ability to conduct the necessary survey, and he hoped the honorable member would see that the officer was properly qualified. With reference to the report quoted by the honorable member for Clutha, he might say, speaking from memory, that Mr. Balfour reported that the discharge of the Clutha was nineteen times greater than that of the River Thames, and forty times larger than that of the Clyde at Glasgow. He might state, from his own knowledge, that above the Tuapeka River there were no snags or sandbanks. The timber came into the lower part of the river from the forests at and below the Pomahaka Junction. Higher up the river the depth was very great, and there were no bars or ridges of rock, but merely immense boulders which had fallen into the river from the mountain tops. Here and there rapids might be met with, in consequence of the river being narrowed by the rocks that had so fallen. He thanked the Hon. the Minister for Public Works for the assurance he had given that a competent engineer would be appointed to make the survey, and he would ask leave to withdraw the motion.

Motion by leave withdrawn.

H. W. FARNALL.

Mr. HAMLIN, in moving the motion standing

in his name, said his reasons for asking that the petition should be referred back to the Committee were that only one individual had been examined, and an opinion of the Solicitor-General had been read to the Committee which went to show that Mr. Farnall had a good claim against the Provincial Government of Auckland. It, however, turned out that the opinion was quite incorrect. In consequence, however, of having received it, the Committee at once came to the conclusion that it would be better to allow Mr. Farnall to try the matter in some law-court, and his case was not sifted to the extent petitions invariably were when they were referred to that Committee.

Motion made, and question proposed, "That the petition of Mr. Farnall, as Provincial Immigration Officer, be referred back to the Public Petitions Committee for further consideration."
—(Mr. Hamlin.)

Mr. REYNOLDS had hoped that some other member of the Committee would have spoken upon this subject. The honorable member said only one member had been examined in Mr. Farnall's case; but another petition from the same gentleman had been before the Committee for a considerable time, and members had thus acquired sufficient information to enable them to dispense with other evidence. The honorable member had referred to the Solicitor-General's opinion, but that did not guide the Committee, in its decision: it had been already stated by the Chairman that it did not guide him. Too much evidence was required to be taken before the Public Petitions Committee; and he must say, from his experience of it during this session, that he felt very much dissatisfied. A member of the Committee himself, he would, as a member of the House, place very little reliance upon any recommendation that came from it. Sometimes evidence was taken on a petition, and then laid aside for a week. When the petition was taken up again, other members were present who had never heard the previous evidence, a resolution was placed before them, and a decision was come to. Unless evidence was taken and dealt with when the same members were present, it would be evident to any one that not much reliance could be placed upon the decisions come to. As to referring the matter back to the Committee, he did not believe they could do anything further than merely bring up a similar report. Therefore he thought it would be useless for the House to agree to the motion.

Mr. SWANSON hoped the House would agree to the motion at once, and thus save time that was required for more important business. Members were waiting to consider most important motions, while some of them were wasting time with a perfect nothing.

Mr. MURRAY was sure, if the House agreed to the motion, the Committee could not bring up any other report. They had taken all the evidence necessary, and it was simply wasting the time of the House to put such a motion upon the paper.

Mr. HAMLIN was sorry that honorable members should so stultify themselves as to say that

the whole case had been sifted by the Committee, for the fact was only one witness had been examined. He now stated, in the presence of several members of the Committee, that the decision was arrived at very much in consequence of the opinion of the Solicitor-General that the petitioner had not exercised all his rights to obtain redress. It was stated that he had not brought an action against the Province of Auckland, and that he should have exhausted his remedy in that direction before coming to the House. The Committee did not give the subject fair consideration, for they were guided very much by the direction of the Chairman, and by the opinion of the Solicitor-General. In reference to the remark which fell from the honorable member for Port Chalmers, that the petition was before the Committee for several days, he would say it was simply nonsense. The petition was before them for one short hour, during which time they examined the Provincial Secretary of Auckland. It was true that Mr. Farnall had another petition in respect of a claim against the General Government, which was before the Committee for several days. How was it that the claim made was cut down to £139, the amount of the award? It was because it was asserted that the petitioner had a good claim against the Provincial Government, and the Committee would be prepared to consider the case fairly, and award him what they thought he ought to receive. How did some honorable gentlemen carry out their promises? How did they carry out their opinions? Some honorable gentlemen changed their opinions much sooner than the wind changed. The Committee should consider the matter fully, calmly, and dispassionately, and then report upon it. To say that a similar report would be brought up, was simply to say that they would not give the case further consideration; that they would simply turn a deaf ear to reason and right, and return the same report again.

Motion agreed to.

MOUNT PISGAH WATER-RACE COMPANY.

Mr. DE LAUTOUR, in moving the motion standing in his name, did not think the Government would have any objection to give an assurance that the report of the Committee would be practically carried out. This Water-race Company was one of those few companies that came under certain regulations issued by the Government, which were drawn up with the intention of affording a subsidy for water-race construction. This company did not proceed very far, as they were hampered by the decision which was arrived at that certain rights for mining in the Maere-whenua district could not be maintained. They found themselves embarrassed, and had to give way in the carrying out of their scheme; and the works were now in an incomplete condition. A sum of £200 was advanced by the Government, of which, owing to the delays, 25 per cent. had been expended before the money had been obtained. The Committee did not think they would be justified in sending for the Warden, as greater loss would result from more inquiry. The Committee

thought it would be more satisfactory if the Government would obtain particulars of the case, and take it into their consideration. The Committee reported specifically that in their opinion the Government might relieve those men from the £200 hanging over their heads, which practically could not be recovered, and which was only hampering a very steady and deserving set of men. The company was composed of a very old and respectable colonist and six or seven sons—men of upright character and sterling integrity. He hoped the Government would see their way to adopt the report of the Committee without establishing a precedent that would be undesirable. He would not press the motion if the Government would give an assurance that they would carry out the report.

Motion made, and question proposed, "That the interim report from the Gold Fields Committee on the petition of shareholders in the Mount Pisgah Water-race Company be taken into consideration."—(Mr. De Lautour.)

Mr. WHITAKER said the object of the motion seemed to be that the £200 due from these people to the Government should be foregone, and really meant an appropriation of that sum. If the honorable gentleman would withdraw the motion, he (Mr. Whitaker) would carefully look into the matter; and if he came to the same conclusion as the Committee on the subject, he would take the means of doing what was considered desirable to be done. If he did not come to that conclusion, he would inform the honorable member, who would again have an opportunity of bringing the matter before the House.

Mr. DE LAUTOUR had much pleasure in asking leave to withdraw the motion.

Motion by leave withdrawn.

MANUKAU STEAM LAUNCH.

Mr. O'RORKE, in moving the motion standing in his name, said it would not be necessary to make many remarks in commending this proposal to the favourable consideration of the Government and this House. Since he put the motion on the Paper it had been said that the steam launches had not turned out to be the success anticipated by his honorable friend the member for Port Chalmers when he devised the system. Even if he was aware, as he was not, that they had not been of the use expected, he should not be deterred from making the proposal he now did. In such harbours as Auckland and Wellington all large vessels could come alongside the wharf, and there probably was not that necessity for the use of steam launches which existed in the Harbour of Manukau. The waters of the Manukau extended a distance of twenty miles from the Heads to Onehunga; and when they considered the ramifications to Papakura, Drury, Mauku, and Waiuku, he was not overstating the fact that the waters of the Manukau washed the shore to an extent of 100 miles. He thought it was very desirable that there should be at hand such a steam launch as would be able to go with rapidity to the heads in case any disaster should occur there. On the occasion of the melancholy wreck of H.M.S. "Orpheus," if there had been a

steam launch in use, and with the telegraphic communication now existing between the Heads and Onehunga, the greater number of the 250 men who were drowned would have been saved. The Manukau Harbour was a magnificent sheet of water, as was known to most honorable members. When it was recollected that the shoals in the channels were continually shifting, and that a great deal of attention was required to be bestowed upon the buoys, which had frequently to be cleaned and repaired, they would see that for such work as this a steam launch would be very desirable. The Provincial Government had last year chartered a cutter for this purpose, at a cost of £100 to £200. In carrying out the service at the Manukau, a steam launch was very desirable. He was quite aware that his honorable friend the member for Waitemata had a right to speak on this subject, as he represented the northern shores of the Manukau. It would not be legitimate, but still it would be very convenient, to have a steam launch to convey electors to the Huia and Muddy Creek to vote at elections, instead of having to leave at midnight in order to be in time to record their votes at the polling-places. His honorable friend had given notice of the following amendment:—"That, in the opinion of this House, it is expedient that the steam launches in the possession of the several Customs Departments of the colony, together with the steamship 'Hinemoa,' be sold forthwith by public auction." When he looked at that amendment, he thought he might claim the vote of that honorable gentleman. His (Mr. O'Rorke's) proposal was that there should be a steam launch for the service in the Manukau. His honorable friend seemed to suspect that he desired to have the steamship "Hinemoa" for the Manukau Harbour. He could solemnly assure his honorable friend that he had no desire to get hold of such a vessel as the "Hinemoa," as a very much smaller vessel would suit him. Under the circumstances, he hoped the honorable member would give him his vote in support of this motion.

Motion made, and question proposed, "That this House will, on next sitting day, resolve itself into a Committee of the whole, to consider of an address to His Excellency the Governor, praying that a sufficient sum may be placed on the supplementary estimates to provide and maintain a steam launch for service in the Harbour of Manukau."—(Mr. O'Rorke.)

Mr. G. McLEAN said that honorable members were fond of talking about economy: but he found, when it came to their own door, they were not very well satisfied with it. He thought they might well do without a steam launch on the Manukau for some time to come yet. If a steam launch was really wanted there, it was very probable that the one in Wellington might be dispensed with. There was a good steamer trading in the Manukau Harbour, the services of which could always be had when required, and the cost would be small indeed compared with the cost of keeping up a steam launch. The first cost of the steam launches was not so much to be considered as the cost of keeping them up. No

doubt the steam launches had not been the success anticipated when ordered, and the Government did not like to be hurried into incurring any more expense in the meantime. With reference to the melancholy catastrophe that occurred at the Manukau Heads, alluded to by the honorable gentleman, he did not think a steam launch would have been of any use on that occasion, because that vessel was wrecked at a time when the sea was so rough that no steam launch could get near her. With regard to doing the work in the harbour, the lifting of buoys, &c., he did not think a steam launch would be serviceable. A small steamer had been ordered from Home. She was a small boat, which would be specially useful for attending lighthouses, lifting buoys, and also for doing surveys. He thought it was quite possible that she would be able to accomplish all that was wanted in that way. He hoped, after this, the honorable member would see his way to withdraw the motion. This was a luxury he thought they might well do without for a little while.

Mr. HAMLIN somewhat differed from the Commissioner of Customs. The honorable gentleman said there was a small steamer at present running in the Manukau Harbour. That was perfectly correct; but it was not to be imagined for a moment that that steamer was going to be taken off her usual trade to do occasional work. He thought the people who were in the habit of using that steamer would strongly object to such a proceeding. As to the other objection the honorable gentleman took—namely, that the steam launch would have been of no use on the melancholy occasion referred to by the honorable member for Onehunga—he (Mr. Hamlin) would say he believed that, if they had had a small launch on that occasion, it would have been possible to save a great many of the persons on board, inasmuch as some of the survivors got into a small boat and reached Onehunga, where they announced what had taken place.

Major ATKINSON asked the House not to agree to the motion. It was clearly a departmental question. The steam launches were obtained simply for Customs and Immigration purposes; and if there was any necessity for one in Manukau Harbour, the Government would have made provision for it. But he submitted that the honorable gentleman had hardly made out a case when he referred to the unfortunate wreck which had taken place there, for that had nothing whatever to do with the question of a steam launch. Because a wreck had occurred at any particular place, surely the House was not going to order that a steam launch should be kept there. He thought the question might be fairly left to the Commissioner of Customs. The steam launches in Otago and Canterbury had undoubtedly saved the Government a great deal of money in communicating with the quarantine stations. When immigrant vessels were unfortunately quarantined, the Government had formerly very considerable sums to pay for communicating with the stations. The launch did not answer so well in Wellington, owing to her not being able to resist the very rough sea which very often

came on to Soames Island straight from the Heads. On several occasions, they had to hire boats, and consequently the saving had not been great.

Mr. MACFARLANE said that when these steam launches were first ordered by the Government, he had had the presumption to write to Ministers showing that they were unsuitable. Inquiry since had shown him that they were unsuitable, and the cause of unnecessary expense. With regard to the wreck of the "Orpheus," he could assure the honorable member for Onehunga that, if they had had half a dozen steam launches in Manukau Harbour on that occasion, they would have been of no use. The steam launches used by the Government were almost useless, except on a fine day, when they might do for picnic parties. He would like to read the following letter from one of his constituents, who expressed his (Mr. Macfarlane's) sentiments in this matter:—

"We have lived here most of us nearly thirty years. We bought our lands from the Government at high prices, when Auckland was fixed by the Imperial Parliament as the seat of Government of the colony. During all these years nothing has been done for the district in the shape of roads, excepting what has been done lately by a poor Road Board. We have bush tracks only for roads, and are forty miles from Auckland by the same, although only ten miles as the crow flies. Our taxes, in the shape of Customs duties, have been expended in the centres of population on an army of officials, and on extravagant mail subsidies and other expensive luxuries, while we are literally ruined for want of roads and bridges.

"Pray do what you can to get some redress, and to secure the expenditure of the revenues of the colony on useful works, and not on visionary schemes.

"This is a large and rather populous district, yet not one shilling of the borrowed money has been, or seems likely ever to be, spent here; and it grieves us to see our own and neighbouring settlers' children without roads to go to school, while an expensive steam yacht is provided for the amusement and pleasure of highly-paid officials in Wellington."

Mr. REYNOLDS was very much astonished when the honorable member for Onehunga brought forward this motion. That honorable member ought to know that those steam launches were intended to do, not only Customs work, but Immigration work, and that they had proved themselves very useful. If a return were called for, it would be seen that they had effected a very large saving, especially in Otago and Lyttelton. Formerly the cost of boats in connection with the Customs was fully as much as the cost of maintaining the launches; and in addition to that, the latter were used by the Immigration Department. Now at Onehunga there was no Custom House.

Mr. O'RORKE. — That is owing to your neglect.

Mr. REYNOLDS said that when there was a Custom House at Onehunga little or no revenue was collected there. Now, if the honorable mem-

ber had proved that there was a very large amount of Customs or Immigration business in Manukau Harbour, possibly he would be justified in asking the House to assent to his motion. With regard to the remarks of the honorable member for Waitemata, that those launches had proved themselves useless, he was altogether disposed to deny that. Auckland appeared to him to be a very peculiar place, so he really could not say whether a launch there would be useful or not; but he knew that, as far as the southern part of the colony was concerned, they had been of very great service.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

HOUSE RESUMED.

Mr. SPEAKER took the chair at half-past seven o'clock p.m.

DUNEDIN DRILL-SHED RESERVE BILL.

Mr. REID, in moving the second reading of this Bill, explained that the reserve had already been granted by an Ordinance of the Provincial Council to the Volunteers of the Province of Otago. That Ordinance, owing to a technical defect—a portion of the lands described in the schedule having been not Crown-granted at the time the Ordinance was passed—was disallowed. The Volunteers of the province, however, had always looked upon it as an estate that belonged to them, and he might say that recently they had applied to the Superintendent and Executive Council of the Province, who had approved of an Act being introduced into the Assembly to vest it in the Volunteers. He believed that since the date of the Ordinance of 1871 the land had greatly increased in value; but as it was intended to withdraw the subsidies which had hitherto been paid to the Volunteers, he thought it desirable, in a district like Otago, where a very great number of members had joined the force, and where large sums of public money had been expended in bringing it up to its present state of efficiency, that they should encourage the Volunteers to instruct themselves in the arts which were necessary to make them an efficient body. He had never had any great faith in the Volunteer system as a means of external defence; but where there was a nucleus established, it would aid the youth of the country in learning something of the initiatory stages at all events, to enable them to understand manœuvring, and to exercise themselves in the use of the rifle, and it appeared to him that for these reasons it was desirable to encourage that system. This would be very small encouragement, but nevertheless it might be sufficient to keep together the force that had been formed in Otago. It should be understood that the force was to be something substantial, and to be composed of a body of men who would turn out on stated occasions and keep themselves up to the standard laid down by the Defence Department; and he should have no objection to see a clause inserted in the Bill in Committee to the effect that if the force should at any time fall below a certain number, or did not come up to a certain standard of efficiency,

then the reserve should not vest in them any longer. He believed such a clause would be prepared for insertion in the Bill in Committee; but in the meantime he would remind the House that this was simply carrying out the Ordinance passed by the Provincial Council in 1871. He hoped, therefore, the House would agree to the second reading of the Bill. It was sanctioned by the Provincial Executive, and he had received a telegram from the Superintendent a few days ago, asking him to endeavour to get the Bill carried through the House.

Mr. STOUT requested Mr. Speaker to say whether this Bill should not be introduced in the same manner as an Endowment Bill, such as the Harbour Bills and the Lake Ellesmere Endowment Bill. It dealt with lands which had not been Crown-granted, and proposed to give it to certain private persons called the Dunedin Drill-shed Commissioners. He apprehended that the ruling of Mr. Speaker with regard to certain other Bills would apply to this Bill, and that it would have to be introduced in Committee.

Mr. SPEAKER did not think the same rule would apply in this case. The principle which rendered it necessary that the Harbour Bills should be introduced in Committee of the whole was that they were Trade Bills. There was another consideration mentioned by the honorable member—namely, that inasmuch as the Bill dealt with Crown lands, it ought to be recommended by the Crown. On that point he thought the honorable member was right.

Mr. REID said that matter could be dealt with in Committee, when they considered the schedule. He might say that part of the land was held by the Superintendent in trust for purposes of volunteering; another portion of it was not Crown land, but had been conveyed to the Superintendent from the Church Trustees in exchange for other land given to the Church Trustees; and only a very small portion was Crown land. If the ruling applied that this Bill should be introduced in a Committee of the whole, some Bills which the honorable member for the City of Dunedin had introduced would be found to be informal, and some introduced by other members also. At any rate, the objection could not apply to the whole Bill, but simply to one of the schedules.

Mr. SPEAKER said that if Ministers would give their consent on behalf of the Crown, the difficulty would be obviated.

Mr. G. McLEAN would state that the Government were going to support this Bill. The Provincial Council had handed this land over to the Volunteers, and they now wished to get possession of it. He proposed to make a few amendments in Committee; and, when they had been embodied in the Bill, the Government would sanction it. All the land had been handed over to the Volunteers by resolution of the Provincial Council, excepting a very small portion which would be of very little use without the rest, for it was between the other two pieces. He thought a good substantial building should be erected upon the ground; and the Volunteers should be kept up to a certain standard of efficiency, other-

wise they should forfeit it. With these amendments, he thought the House might very well agree to the Bill.

Mr. STOUT intended to move that the Bill be read a second time that day six months. He felt sure the Government could not know the value of the land they were giving away by this Bill. It was about half an acre of the most valuable land in the City of Dunedin, and at the very lowest computation it was worth £10,000; but he believed it would sell for £15,000. It was near the Central Railway Station; and since the Provincial Council passed the resolutions referred to, Dowling Street had been formed, and the land fronting High Street had been let at very high rates—he believed at from £7 to £9 per foot. It was now proposed to give away this land for a site for a drill-shed and gun-shed—land which was fronting the Railway Station, and in the very heart of the city. A more monstrous proposal was never submitted to the House, and he would ask honorable members whether they would sanction the giving away of public lands in such a manner. He desired as much as any honorable member to see that the Volunteers should have a drill-shed and gun-shed, but at present they had a drill-shed in the Octagon Reserve; and if it was necessary to bring in a Bill to give them a title to that, he would support it. He objected altogether to giving them this land, for it was far too valuable, and it would never be used for a drill-shed. It would at once be let on lease for a very large sum, and the Volunteers would draw the rents. He was somewhat surprised that the Government should sanction the giving away of public land in this manner; and it was plain to him that Ministers either did not know the value of the land, or they had not duly considered the matter. He presumed anything the Government proposed would be carried in this House, and perhaps it would be useless for him to move the amendment. However, he would certainly record his protest against giving away such a valuable block as this to the Volunteers, and he would move that the Bill be read a second time that day six months.

Mr. PYKE felt at a loss to describe in words sufficiently parliamentary the action taken by the honorable member for Dunedin City. He held in his hand an Ordinance of the Provincial Council of Otago, of which the honorable member was a burning and shining light, dated 1871. The honorable gentleman was now in a peculiar position. He was not quite sure whether the honorable member was in the Provincial Government or not: he rather thought he was half in and half out. These grants were made by the local Legislature, the action of which the House was now asked to set aside. He had before him copies of special grants of the self-same lands, and the schedules in the Bill under consideration were exact copies, word for word, *verbatim et literatim*, of the schedules agreed to by the Provincial Council of Otago. For what purpose did the Provincial Council grant that land? The words were as follow: "Whereas it is expedient to set apart the said parcels of land for the purposes of a headquarters drill-shed, armoury, and gun-shed being erected

thereon, and for the use of the Volunteers, and also to make provision for the management of such parcels of land in manner hereinafter appearing." What was the House now asked to do? Simply to indorse the action of the local Legislature of Otago. It was no answer to say that since that period the land had become more valuable. Would it be any excuse for dishonesty to say if you sold to a man to-day a horse only worth £10, and if it were worth £100 to-morrow, you should refuse to deliver possession? A more dishonest argument he never heard in his life.

Mr. STOUT.—They never got possession.

Mr. PYKE would ask, why did they not get possession? It was because the land was part of a huge rock. Prisoners had been employed in blasting it away, the material being wanted to reclaim the harbour and to make the property of Otago more valuable; and now, because the land had been levelled, was it to be said that the Volunteers were to be deprived of it, although the Government of Otago freely accorded it five years ago? If the House carried out such a system of proceeding, it would amount to this, that, no matter what grants were made by any provincial authorities, the House would take upon itself to repudiate them. There was a small example of it the other night, and he did not like it. If these things were done, it would be said that the House would not carry out the contracts entered into by the Provincial Governments. He trusted that the House would refuse to agree with the arguments and special pleading of the honorable member for Dunedin, and would consent at once to the Bill being read a second time.

Mr. LUMSDEN would much like to know how much public money was spent in blasting away the rock to improve the land, which was in a very different state now from what it was then, for, according to the honorable member for Dunstan, when the land was given to the Volunteers, it was a precipitous rock. This reserve had been held in trust by the Superintendent, and the Volunteers had been offered other ground for a drill-shed and gun-shed. The very heart of the city was not a proper place for a drill-shed, and some site more out of the town might be obtained. If the land were sold, the proceeds would purchase another site for the Volunteers. Besides, he did not think the Volunteer business was going to be very lasting; and passing this Bill would be likely to make the force in Dunedin efficient, for it would then be a well-paid force. With the amount of money obtainable from this reserve, the Volunteers would become a luxurious and idle body. He did not like to see public money and grants of land given to Volunteers in this way, having no faith in the corps as a means of military defence.

Mr. BURNS knew a little of the early history of the affair. Something of this kind took place as far back as 1867 or 1868. The Provincial Executive determined to give these reserves to the Volunteers, and one reason why the matter was not completed at the time was that the Government required the use of the land for reclamation purposes. But it was promised that they should

have the land as soon as it was levelled, and the prisoners had been employed upon it ever since. An Ordinance was passed through the Provincial Council to grant this land, but owing to some informality it had been disallowed. It was owing to some technicality, but not to anything in the principle of the Bill; and the House was now asked to do simple justice. There was no doubt that circumstances had somewhat altered since 1867 or 1868, and the land had certainly become more valuable; but that did not get over the difficulty. The House was not to repudiate on that account. The Bill ought to be read a second time, and the amendments proposed by the Commissioner of Customs could be inserted. All that was required was to provide that a building should be erected for the use of the Volunteers, and that a certain strength and efficiency of the force should be kept up. If his memory did not fail him, those were conditions that were to have been embodied in the grant. He hoped the House would pause before rejecting the Bill, for it would be a pity to repudiate in this matter. This reserve is in a very different position from those other reserves with which the House dealt the other night.

Mr. REES did not think it was wise as a rule that members from other provinces should interfere in local questions connected with any particular province; but circumstances might arise when the honor of the House was concerned, and when the administration of justice in dealing with public property called upon honorable members of the House to take part in expressing their opinion and in voting. He did not suppose that any honorable members from other places than Otago would have spoken on this question, but that they would have contented themselves by recording their votes, had it not been for the amendment of the honorable member for Dunedin that the Bill should be read that day six months, which would have the effect of shelving the measure and preventing the property being vested for the benefit of the Volunteers. He could not understand the objection of the honorable member for Dunedin, after the statement which had been made by the honorable member for Dunstan that for years past this property had been dedicated for this particular purpose. It appeared from the Provincial Ordinance of Otago that this land was granted for this particular purpose. The honorable member for Dunstan stated that this particular reserve was set apart for the use of the Volunteers; and he (Mr. Rees) would like to know what circumstances had arisen which rendered it unjust and improper that the land should be so vested. Unless the Volunteers had since that time fallen into such a state that they could no longer be intrusted with property of this kind for purposes of public defence—unless that were the case, the House would be setting a bad example in breaking faith with the Volunteers or any other such body. The honorable member should recollect that the Volunteers gave their time for the purpose of public defence; that they were liable to be called upon to go into the field upon any emergency that might arise. In the Province of Auckland they had done so in

former days, and were prepared to do so again. Seeing that the other colonies were now turning their attention to the best means of defending themselves against any possible aggression, it would be an act of folly to weaken the hands of the Volunteers of the country, or to diminish that military spirit which they wished to see developed amongst the people. If, as stated by some honorable members, this land was given in good faith to be devoted for the purposes of the volunteers, he hoped the House would carry that intention into effect. The question was not one as to the increase in the value of land. He did not suppose the Government would have spent the time and the labour of the prisoners in reclaiming that land simply for the use of the Volunteers, if it were not to make more valuable other land in the city of Dunedin. He trusted the House would support the second reading of the Bill, and carry out the intention of the Provincial Legislature;—that they would not break faith with any large portion of the people, or even with any insignificant portion of the people, but would feel compelled to carry out in honor the intention of the Provincial Legislature in granting this land.

Sir R. DOUGLAS did not believe in the defence of the country being intrusted to Volunteers—at all events, to such a purely Volunteer force as they had in Dunedin. He thought, as this land had been set apart for military purposes, the Government would do more good by retaining it for military purposes. He understood that the ground was in such a position that the guns could be easily taken out and removed to any other place by rail, &c. To keep the ground for military use would be right enough; but to give it to the Volunteers for other than military purposes would be a course to be deprecated. For that reason he thought the Government would be wise to keep the ground in their own hands. So long as the ground was not required, the Volunteers might be allowed to use it. When the Volunteers ceased to exist, the ground should be retained by Government as a place for keeping guns and arms, and for other military uses. The time had come when this country should be able to defend itself by a Militia force, and not by Volunteers,—when every man between two certain ages, capable of bearing arms, should be liable to serve in that Militia. He hoped the Government would take the matter into their consideration and disband the Volunteers, and have a thorough and efficient Militia force for the whole colony of New Zealand.

Mr. REID said the view expressed by the honorable gentleman who had just sat down would be given effect to if he supported this Bill. The land would be used by the Volunteers so long as they existed, and it would be vested in the officers. When the Government chose to disband the Volunteers, the officers would also be disbanded. The land would not vest in the Governor, but would vest in the University of Otago in trust for a museum, schools of art and of technical education. He thought that would be as appropriate as vesting the land in the Governor. With regard to the argument that this

land had been improved at the expense of the country, he might state, since the land was granted in 1871, the province had actually been paying the owners of property adjoining it, and removing their buildings, in order to get the use of the material for reclamation purposes, and in some cases paying rent for the use of the land during the time of removing the material. The reason why the Volunteers did not get the portion Crown-granted to the Superintendent for Volunteer purposes was that the province required the material in order to reclaim the harbour. He might say, further, that the circumstances existing in 1871 had been reconsidered by the present Executive, and Ministers had documents in their possession recommending that this land should be made over to the Volunteers. He thought the local authorities on the spot were as competent to form an opinion as the honorable member for Dunedin. The honorable gentleman had always been opposed to this proposal. He hoped the honorable member would not be able to carry his amendment, but that the House would agree to the second reading of the Bill.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	36
Noes	...	...	...	...	17
Majority for	...	...	...	...	19

AYES.

Major Atkinson,	Mr. Rees,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Rolleston,
Mr. Bryce,	Mr. Rowe,
Mr. Burns,	Mr. Sharp,
Mr. Dignan,	Mr. Stevens,
Sir R. Douglas,	Mr. Swanson,
Mr. Fitzroy,	Mr. Teschemaker,
Mr. Hamlin,	Mr. Thomson,
Mr. Hislop,	Mr. Tole,
Mr. Hunter,	Mr. Tribe,
Mr. Hursthouse,	Mr. Wakefield,
Mr. Joyce,	Mr. Whitaker,
Mr. Larnach,	Mr. W. Wood,
Mr. Macfarlane,	Mr. Woolcock.
Mr. G. McLean,	
Mr. Murray,	<i>Tellers.</i>
Mr. Murray-Aynaley,	Mr. Bunny,
Mr. Pyke,	Mr. Reid.

NOES.

Mr. Baigent,	Mr. Kennedy,
Mr. Barff,	Mr. Montgomery,
Mr. J. C. Brown,	Captain Morris,
Mr. J. E. Brown,	Mr. Ormond,
Mr. Button,	Mr. O'Rorke,
Mr. De Lautour,	Mr. Wason.
Mr. Gibbs,	<i>Tellers.</i>
Mr. Henry,	Mr. Lumsden,
Mr. Johnston,	Mr. Stout.

The amendment was consequently negatived.

Mr. BOWEN said that, while it was quite right that this land should be handed over to the Volunteers, still there was a great deal in

what was said by the honorable member for Marsden, that the land should be strictly reserved for military purposes. The reason now for handing it over was that it should be used for military purposes; and if the Volunteers failed in their duty at any time, or were disbanded, he thought the reserve should be handed over to the Governor to insure the objects of the trust being carried out. He could see no reason why the land should be handed over to the University because the Volunteers failed in their duty. He thought, therefore, that in Committee the provision to that effect should be changed into a provision for handing it over to the Governor for military purposes.

Bill read a second time.

Mr. REID moved, That the Speaker do leave the chair, for the purpose of considering the Bill in Committee.

Mr. STOUT opposed the motion. He believed the Bill had been read a second time because a Parliament which knew nothing about the subject had dealt with it. The honorable member for Dunstan had made one of his usual speeches, to which he (Mr. Stout) did not think it necessary to reply. He could only say that, as to any bargain being made with the Volunteers, the thing was a patent absurdity. The land did not belong to the province at all, and consequently the Ordinance was disallowed. Was it to be said that, because a Provincial Ordinance was disallowed, an agreement had been made? If so, they would have to bring in hundreds or even thousands of Acts to carry out such agreements. What were the facts of the case? The Volunteers were first promised a little bit of this land. When they had got that, they said, "It is no good to us; we must have another little bit." They got that, and then they said, "There is another little bit you got from the Church—give us that;" and they got that third little bit. The only reason why the honorable member for Taieri was acting in this way was because, when he said he could do a thing, he tried to fulfil his promise. As for the Minister of Justice talking about the land being used for military purposes, it was only a fair sample of the ignorance of the Ministry in regard to everything connected with Otago. Opposite this land there was the largest warehouse in New Zealand, which had cost £30,000; and the frontages farther down the street, fronting the Church property, had been all let at exorbitant rents for warehouse purposes. Fronting this corner was the Railway Station. Then Dowling Street had to be newly formed into the main street. It was the very centre of the business places in town. Now they were going to take away this valuable piece of land for the purpose of erecting on it a gun-shed. What did the Provincial Council do with reference to this matter? Because they did not give the Volunteers this very piece of land, they voted money to help the Volunteers to erect a drill-shed on the Octagon Reserve, which had never since been used for any other purpose. Now they were asked to give the Volunteers one of the most valuable sites in Dunedin for a drill-shed, which would be used only once a week. He could

not conceive any Ministry supporting a Bill of that kind. He would certainly use all constitutional means to prevent the Bill going into Committee that evening. The Volunteers had a drill-shed erected partly with Government money on Government land; and now some honorable members spoke as if the Volunteers were badly treated. They had been allowed to use any of the public recreation reserves whenever they desired them, and grants and reserves for drill-sheds had been given to the Volunteers right through the country. An honorable member said something about the land being improved. Now part of this land was not a hill at all, and did not require cutting down. It required filling up; in fact the tide came up to it at one time. The Provincial Government had formed the street at a cost of thousands of pounds, and had thus made the land valuable. If the land had been offered to the Volunteers in 1871, and if they were told to do what the Government had done since, they would not have taken a present of the land, except for purposes of sale. Now that the land was levelled and the street made, the House was asked to give the Volunteers a piece of land worth £10,000 or £15,000 for a drill-shed! He could only say that this was one of the first-fruits of the Abolition policy, which handed over the management of local affairs to men who knew nothing whatever about the local circumstances of the case. He undertook to say that if this question came before the Provincial Council they would not give the land to the Volunteers; and without wishing to refer to a former debate, he might also say that if the wharves and quays question came before the Provincial Council, the Harbour Board, which had not the least claim to them, would not have got a rood of the land.

Mr. PYKE said that the honorable member who had just sat down stated that he would not reply to him (Mr. Pyke). Well, he could reply to the honorable member, and that was just the difference between them. The honorable member harped upon the value of the land, and told the House that the tide used to go over it. Well, it must have been a very high tide indeed. He knew the land sixteen years ago, and an honorable gentleman beside him knew it twenty-five years ago, and they never knew the tide to go over the land. In fact, if it did so it would have to rise twenty feet above high-water level. The honorable gentleman was talking about something he did not understand. The honorable member was very angry that any land should be set apart in the country to encourage military spirit.

Mr. STOUT never said anything of the sort; but he objected to this piece of land being taken for military purposes.

Mr. PYKE said the honorable gentleman objected to the land being taken away because of its value. When the land was granted, it was not supposed to have anything like its present value. He had to repent this phrase about the value of the land, because the honorable member was "still harping on my daughter." But, because the land had become valuable, was that a

reason for committing a gross breach of faith with a gallant body of men? He was surprised the honorable member for Dunedin should have made use of such an argument. As far as military purposes were concerned, he had only one observation to make in reply to the honorable gentleman. The honorable gentleman scorned the idea of this land being used for military purposes, because he could not disconnect that phrase from the idea that a fort should be erected upon it, and as there was a large store opposite he no doubt feared that obuses and shells might be thrown into that store. There was, however, one reason why it might be well to erect a fort in the centre of the city of Dunedin, and that was to protect the peaceable inhabitants from the rebels whom the honorable member proposed to lead against the Government in consequence of late political changes.

Mr. REES thought that, as the House had affirmed the principle of the Bill, it should not now be pressed into Committee, and so prevent other and very important public business from being taken.

Mr. REYNOLDS would object to the House going into Committee on the Bill that evening. He had not spoken on the second reading; and would now merely remark that his impression was there was no legal obligation to hand over this land to the Volunteers. When he was in Dunedin, about two years previously, great pressure was brought to bear on him to have a new Supreme Court erected. He pointed out the difficulty of obtaining a site. He was then told there would be no difficulty in obtaining this site for the purpose, and he asked what authority there was for making that statement, because he understood that the land had been reserved for the Volunteers. The reply was—and he believed it was given either by the Superintendent or by a member of the Provincial Executive—that it was available for a Supreme Court. It was, however, found to be too small for that purpose, and he believed it would also be found to be unsuitable for the purpose proposed in the present Bill. There was already a good drill-shed in the city, which the holders of a late meeting there said would contain 2,000 people, although he did not believe it would. At the same time, if the citizens of Dunedin could make out that such was the case, then it must be acknowledged that ample provision was made for the Volunteers. It must also be remembered that at the time this reserve was proposed to be given to the Volunteers they had no drill-shed. He did not think there was any obligation to grant the land to the Volunteers, and it could be applied to much better purpose. He was perfectly convinced that, if the House went into Committee on the Bill that evening, the whole time until the hour when no new business could be taken would be occupied in discussing it; and honorable members who had other business on the Paper should bear that in mind when they come to vote on the question.

Mr. DE LAUTOUR moved, That the Bill be committed that day week. He was not at all surprised that at the present crisis of affairs the Minister of Justice should be anxious to secure

a military site in the city of Dunedin; but the honorable gentleman's anxiety was not coupled with judgment, for it would be much better to erect his military station before several thousands of pounds had been expended in cutting the hill down. He also sympathized with the honorable member for Dunstan in his fear of what might take place; but he thought the missiles the honorable gentleman would have experience of would not be those he talked of, but of a rather softer character. He would be crowned with flowers as a player on the stage. When the honorable member arrived in Dunedin, a few policemen would be sufficient to secure him from any danger from showers of these missiles.

Mr. REID would accept the amendment, although he thought it was rather unfair that he should be threatened with what would be done in Committee, if the House went into Committee that evening.

Amendment agreed to, and Bill ordered to be committed that day week.

STATE FORESTS BILL.

The House went into Committee on this Bill.

Clause 1.—Short Title.

Mr. BOWEN moved, That the word "repeal" be struck out, with the view of inserting the word "amendment" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

*Ayes	...	...	...	...	36
Noes	...	...	...	...	18
Majority for	...	...	...	...	18

AYES.

Mr. Baigent,
Mr. J. C. Brown,
Mr. Burns,
Mr. Button,
Mr. Dignan,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Sir G. Grey,
Mr. Hamlin,
Mr. Hodgkinson,
Mr. Hunter,
Mr. Johnston,
Mr. Joyce,
Mr. Kennedy,
Mr. Larnach,
Mr. Lumden,
Mr. Montgomery,
Captain Morris,

Mr. Murray,
Mr. Reid,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Shrimski,
Mr. Stout,
Mr. Swanson,
Mr. Takamoana,
Mr. Thomson,
Mr. Tole,
Mr. Wason,
Mr. Whitaker,
Mr. R. G. Wood,
Mr. W. Wood.

Tellers.

Mr. Barff,
Mr. Macfarlane.

NOES.

Mr. Bowen,
Mr. Bunny,
Mr. Hislop,
Mr. Kelly,
Mr. G. McLean,
Mr. Murray-Aynsley,
Mr. Nabe,
Mr. Ormond,
Mr. Pyke,
Mr. Rees,

Mr. Reynolds,
Mr. Richardson,
Mr. Sharp,
Mr. Stafford,
Mr. Stevens,
Mr. Teschemaker.

Tellers.

Mr. Andrew,
Mr. De Lauteur.

PAIRS.

For.

Mr. J. E. Brown,
Mr. Carrington,
Mr. Sheehan.

Against.

Captain Kenny,
Mr. Tribe,
Mr. Cox.

The amendment was consequently negatived, and the clause agreed to.

Bill reported without amendment, and read a third time.

NEW ZEALAND UNIVERSITY BILL.

Mr. ANDREW, in moving the second reading of this Bill, said it did not profess to make any change on a great scale in the New Zealand University. It merely proposed to widen the basis on which the Senate might be elected, and to give the educated members of the community with *ad eundem* degrees a direct interest in that body. The New Zealand Act of 1870 constituted a teaching body, which was done away with by the Act of 1874, and the University was reduced simply to the status of an examining body, on the model of the London University. By the Act of 1874, the Senate consisted of twenty-four members, who were eventually to be elected partly by the Senate themselves and partly by the graduates of the University, forming a Convocation. This process was not to take place until there were a certain number of members of the University of New Zealand who had themselves graduated in that University. Meanwhile, all vacancies were to be filled up by nominations from the Governor. The University had effected a great deal of good in the country; but, at the same time, he did not wish to disguise that a great deal of fault was found with its proceedings, and those objections proceeded in a great measure from the educated men in the community, who would naturally like to have some influence in the proceedings of the University, but who, by the law as it stood, were debarred from all voice in the matter. This Bill proposed at once to give the power of electing one-half of the members of the Senate to the Convocation of the University, which would consist at present almost entirely of members who had taken *ad eundem* degrees. But Convocation would be leavened, year by year, by members who were themselves graduates of the University. The Convocation of the University had very small functions indeed under the University Act; but one of its functions, and in fact the only important one, was the election of the Senate, but that function was at present in abeyance. It was proposed by this Bill to enable members of Convocation to elect one-half of the members of the Senate as vacancies occurred. There were at present in the Senate seven vacancies; and if this Bill became law, these seven vacancies, instead of being filled by the nomination of the Governor, would be filled by election, four being elected by the Senate, three being elected by Convocation; and as other vacancies occurred, they would be filled up alternately by the Senate and Convocation. One objection to allowing Convocation to elect had been the very great expense that the meeting of that body entailed. This Bill pro-

vided for an election taking place with hardly any expense at all. He supposed that £10 would cover the whole expense of an election, by conducting it according to the principle on which the election of members for the Universities in the Imperial Parliament was conducted in the old country. That principle was embodied in the Bill. He would not take up the time of the House longer, but content himself by moving the second reading of the Bill.

Mr. STOUT moved that the Bill be read a second time that day six months. Of course the University was now in existence, and he did not intend to take up time by stating all his objections to it. He looked upon it as a farce. It was an examining body to examine that which did not yet exist in the colony, and which would not for many years to come. He thought, if New Zealand desired to encourage higher education, they should make provision for a large teaching staff, and for bringing in good scholars to teach their young men. When they established an examining body to grant degrees, he thought a wrong was done; and at that time there was a strong feeling of jealousy against the Otago University. But he did not intend to go into that matter, and would only say that any one who had seen the working of the New Zealand University in the past, and had compared the examination the students were required to pass—take for example the B.A. degree—would know that actually three or four times more Greek was required from the New Zealand students than would be required for the same degree in the London University. If he thought fit, he could show that, to say the least, the Senate had been very unfortunate in the manner in which some of their regulations had been drawn up. For example, when a list of books was submitted to the Senate of the New Zealand University for approval, they actually excluded the books of the most eminent writer of the present century on sociology and psychology—Herbert Spencer—on the ground that he had advocated the leasing of lands and the State being the owner of all the lands. On that ground alone the Fellows of the Senate absolutely excluded his books from their curriculum. That was an undeniable fact. And this was the body that had the management of higher education in New Zealand! If this were known in other places where higher education was cared for, the New Zealand University would be the laughing-stock of all the Universities in the world. What did the Bill now propose? This Bill was a very insidious one. When it was wished to repeal an Act he liked a Bill to be brought down boldly announcing that intention. But this did not openly profess to repeal the New Zealand University Act. It said:—

“Notwithstanding anything contained in ‘The New Zealand University Act, 1874,’ all graduates of the University for the time being shall, for a period of ten years after the passing of this Act, be members of the Convocation of the said University.”

That was well shown to be a repeal of the 24th section of “The University Act, 1874.” That section made this provision:—

"The Senate shall have power to confer any of the said degrees as *ad eundem* degrees. But no *ad eundem* degree shall, without the consent of Convocation in each case, entitle the holder thereof to be or become a member of Convocation."

The Convocation did not in fact exist. There were not thirty graduates, New Zealand graduates, and now that Act was introduced to do this: they had thirty University students properly so called, and now it was wished to create a Convocation consisting of *ad eundem* graduates to manage the University. Now, the sole reason for the New Zealand University Act being passed in the form in which it was passed, was, he presumed, that it was desirable to get the young men of the colony, who had been taught in the colony, who had got their degrees in the colony, to take an interest in higher education. They were to form the first Convocation; and before any *ad eundem* graduate could become a member of that Convocation, he had to be elected by those thirty New Zealand University students; but this second section of the Bill repealed that beneficial provision, and repealed it in what he might term an insidious way, because the mover of the Bill ought to have come down boldly, and said that "This provision as to the thirty students is hereby repealed." He considered it was one of the most beneficent things in the University Act; because it freed the New Zealand University management a good deal from the old ideas as to the curriculum of the University students. One had only to look at the reports of Commissions that had examined the higher education, both in England and Scotland, to find that there were complaints made against the University system—complaints that no one yet had met in such a way as to show that the studies even at Oxford and Cambridge, or other Universities, were conducted in a proper way; complaints that too much attention had been paid to some studies to the neglect of others. Yet if they were to allow this Bill to pass in its present form, the result would be that they would have *ad eundem* graduates in New Zealand, who perhaps had not been paying much attention to University reform in the old country, stereotyping their ideas in the New Zealand University in future, and thereby doing a great deal of harm to University education in the colony. That was another reason why the whole power should not be left to these *ad eundem* graduates, as was proposed by this Bill. There was another point—namely, he was not aware that the Fellows of the New Zealand University had approved of this Bill in Senate. He believed it was introduced in another place by a Fellow of the University; but he was not aware that either the Governors of the affiliated institutions, or the Fellows of the Senate of the New Zealand University had approved of the Bill in its present form; and he thought, before the House proceeded to repeal the various provisions of "The New Zealand University Act, 1874," an Act which, like the Forest Act, had only been two years in existence, there ought to be very good grounds shown. At the same time, he admitted

that the New Zealand University Act might need amendment; but he submitted that the amendments proposed by this Bill were of very little use whatever. If the New Zealand University Act was to be amended, that would have to be done in a very different manner than that proposed by this measure. He therefore thought it would be wise for members of this House to throw out the Bill, and let the Senate consider what amendment they desired next year; and then a Bill could be introduced and brought before the House in a different form. For those reasons he would move, That the Bill be read a second time that day six months.

Mr. BOWEN said that, as he understood the honorable member for Dunedin, the complaint against the existing University Act was that it did not give sufficient power to Convocation, and that the chief power was given to Senate; and the honorable gentleman said further, that one of the greatest merits of the Act was, that hereafter when there were thirty graduates who had taken their degrees in New Zealand, they would have a voice in the management of the University. The object of this Bill was to hasten the time when men who might be supposed to have practical experience in teaching should have a voice in the management of the University. It by no means repealed the provision which would enable all graduates of the University to take a part in University management. But whereas complaint was made that there was not sufficient life in the institution, and not enough of that experience possessed by men accustomed to teaching, this Bill provided that men who had taken degrees elsewhere, and who had got *ad eundem* degrees in the University, should, before there was time to have a Convocation assembled of New Zealand graduates, be able to meet and take their fair share in the administration of the affairs of the institution. If there was anything more likely to hasten the usefulness of the University, it was such a measure as was now proposed. For instance, there were a great number of men engaged in teaching in New Zealand who, by this Bill, would be enabled to have a voice in Convocation, who were now excluded; and he certainly thought that would remedy many of the deficiencies which had been complained of in the University. He did not think it would be necessary, in discussing this Bill, and at that hour, to go into the question of the advantages of the University as it existed. But he would point out to the honorable gentleman who last spoke that an examining body was almost the only body it was possible to constitute in the present state of the colony. They had teaching bodies in various parts of the country; and what they wanted was a body that would examine those different teaching bodies, and establish a standard which undergraduates who were studying at the different affiliated institutions would have to attain to in order to obtain degrees. There were provisions for holding the meetings of the University from time to time in different towns where the several affiliated institutions existed; and, in fact, the New Zealand University Act was a measure to provide in the colony, as nearly as circumstances

would permit, the advantages of such an institution as the London University. That University was founded to foster affiliated institution all over England, and to evoke teaching power wherever it might exist. In New Zealand such an examining body was more necessary than in England. We may desire to have more affiliated Colleges and more teaching power; but he could not conceive that any one who desired that there should be more life infused into the proceedings of the University could object to a provision which would really create a Convocation sooner than it could be created under the provisions of the Act as it stood at present; and he would support the Bill for the reason that it would tend to hasten the time when those who had some experience in teaching would have a voice in the administration of the University.

Mr. REYNOLDS had only to say that had it not been for the 24th section of "The New Zealand University Act, 1874," the measure would not have been passed at all. It was only a compromise at the time, and that section was one of the provisions that was insisted upon.

Mr. O'ROBKE merely wished to enter his protest against the sham that took place in the House from year to year in parading Bills before them with regard to the New Zealand University—as if there was such a thing in existence! He considered that the institution was a degradation of the honorable name of University. He was certain it had done no good in the way of establishing advanced education. What was their boast? That they taught nothing; that they had no professors; that they are a houseless and a homeless body. It was true that some of the money set apart by the House filtered through their hands and was thus distributed amongst certain schools; but he denied that the institution had in any way promoted superior education. When the proposition to establish a University was first brought before the House, it was by way of petition from a gentleman who was distinguished for promoting education in Otago, and who, he regretted to say, had since died. He thought it should be the duty of the gentlemen who had been charged during the last five or six years with conducting this so-called University to petition the House to relieve them of their duties—that they should represent to the House that the grant which they held was contemptible—that their efforts had been fruitless, and that the time had arrived when the House should address itself to the propriety of creating a real University. Ten times the £3,000 would not be mispent if a real University were established where young men could be brought up, where they would be trained under the discipline of University life, and acquire something like the knowledge which was bestowed in the venerable Universities at Home. It was on this ground that he would give his vote in favour of the amendment that the Bill be read a second time that day six months. But he would much prefer that the House would take the bull by the horns and abolish the grant altogether, as it did in the matter of the New Zealand Forests Act; for he believed that this University was even a greater

sham than that Forests Act. He was at one time in favour of dividing the grant of £3,000 between the existing University of Otago and one that he proposed should be established at Auckland. He had not yet abandoned that idea, but he would for the present be satisfied with a real University, established at some convenient place, instead of having wandering examiners going about amongst the highways and by-ways, striving to get some person on whom to confer a degree. He was also, he confessed, astonished to see gentlemen of high attainments—gentlemen who had graduated in the old Universities—content to accept *ad eundem* degrees in such a University as this. He did not admire their taste; he should prefer remaining as a graduate of the University where he was brought up. At first, he was strongly in favour of the University at Otago; but he felt a little ashamed of it when, a season or two ago, it surrendered its rights of conferring degrees for a mess of pottage—when, for the sake of getting hold of a little land, it degraded itself from its position and was content to be called an affiliated college of this New Zealand University. Many years ago, when he once spoke briefly on this subject, he said he held the opinion that if a real University were once established, many persons would, out of their abundance, make donations to assist in carrying out the object. That opinion was the subject of ridicule, not in the House but elsewhere. But what did he see a few months afterwards? A gentleman at Adelaide, whose name he forgot, made a donation of £30,000 to assist the University which was then established there. He had been looking over a list of donations that had been made from time to time to a University with which he was acquainted, being an alumnus of what was styled at home *alma mater*, and he saw that they ran from £3,000 to £5,000 and up as high as £36,000. He believed that if the colony had a real University, many scholarships would be established by private gentlemen, professorships would be founded, and in time something worthy of the name of University would be established, instead of what was now a by-word amongst those who appreciated a high class of education. It was true they had high-sounding titles. They had Chancellors, Vice-Chancellors, Fellows, and Senators; but in what did they resemble the dignitaries of the Universities at Home, except in the mere name? With regard to the proposal about the Convocation, it was to him a matter of no moment. He would prefer that when they went into Committee a clause should be introduced for repealing the whole grant, and with a view of contributing something from the public revenue worthy of a University for New Zealand.

Mr. REES intended to support the second reading of the Bill. It could not be expected that in a new country such as this there should be at once reared up amongst its people stately edifices such as those which adorned older countries, or that there should be those beautiful colleges which were to be found in such places as Oxford and Cambridge. These could not be

erected in a day, in a month, nor, perhaps, in many years, nor could it be expected that to such an institution in New Zealand there should attach the memories and glories which surrounded the old institutions of the mother country. Honorable members should recollect, when they compared a new University in a new country with the old Universities of the world, that everything had a beginning. What were the American Universities? Yale and Harvard were now places with a world-wide celebrity, and yet, but a few years ago, they were but seminaries partly supported by charitable aid, and partly assisted by State grants. So it was also with the Irish, the Scotch, and the English Universities. There was a time when even those institutions were in their infancy. He would be glad to support any measure that would go in the direction indicated by the honorable member for Onehunga, when he said there should be a real University, and not a sham which had but a name and did not exist in fact. As that honorable member said, ten times the present grant of £3,000, or twenty times that amount, would be well expended if it reared amongst us such an institution as could hold out the lamp of education and intelligence to the people of this country. But there must be a beginning and he would be very sorry to do as the honorable gentlemen proposed, and so see the twinkling light which now existed put out, and nothing given to the country in exchange for it. This measure stood on a very different footing from the State Forests Bill; for this measure, at any rate, kept alive some spirit and desire for the advancement of education in the colony. ("No.") Surely the honorable members who cried "No" must remember that a University did exist, that it had power to confer degrees, and that those degrees were acknowledged everywhere. There had been gathered together not only gentlemen who had earned the distinction of being graduates of the older Universities, but who had also aspired to the honorable distinction of *ad eundem* degrees in the New Zealand University—members of the English, the Irish and the Scotch Universities, who were anxious to take part in the administration of our University. It was a great thing to have gathered these men together, so that they might consult and give advice in regard to the administration of the University which would be of use in the future. He would be sorry to see the New Zealand University, poor as it was, without habitation and name, and a sort of wanderer through the country, put out of existence. It had entered upon a course which would possibly lead to magnificence in the future. In regard to a Convocation, the actual existence of which this Bill would propose, he would like to see greater powers given to that body—not only that it should be enabled to extend its limits, but that it should have some actual power and some real work to do. He quite failed to understand why the 24th section of the Act of 1874 should not be repealed, either expressly or impliedly, so as to admit gentlemen to the dignity of members of Convocation who had not taken degrees in New Zealand itself. Would not that be a commencement? Why shut out from

that body the power of gathering to itself men of experience in other countries? Why refuse it the power of gathering to itself the learning of older countries? Why shut out from that body all the advantages it would receive from the learning and experience of such men, especially when the University was only in its infancy? It seemed to him to be more reasonable that our arms should be stretched wide and our gates thrown open, so that those who brought the rewards of learning and erudition from older countries might take part in the administration of our University—men who had come out to make New Zealand their home, and men who had gone Home and then returned again with well-won honors, after passing through the curriculum of study in the old-established Universities. The door should be thrown wide open, so that our University should have the advantage of the prestige and erudition of such men as these. Therefore, it would be unwise to postpone the passing of this Bill. Let the University continue its present existence for a time; let Convocation really exist, and let those gentlemen who, if Convocation was thrown open, would aspire to *ad eundem* degrees, gather together, and then, by the aid of Convocation passing resolutions which the Senate could make public and forward to the Assembly, Parliament would be able to map out something that would be of use to our children and our children's children. What was wanted was a high style of education. What the House should aspire to was to increase the powers of this body, and to foster everything that was likely in time to place higher education within the reach of the young men of New Zealand. This would not be attained by crushing the existing University, or by contrasting it unfavourably with the older institutions; but rather by cherishing it, causing the summer sun of prosperity to shine upon it, and by doing all that they could as members of that House and public men to insure its success. The day would come when, if it were properly dealt with, they would see the University not only an examining body but a teaching body, with large endowments and grants by that House, which could not be made in a better direction. They would see it with a professorial body of its own, and with the reproach that now attached to it removed. But that, of course, would take some little time. The object should be to hasten that time, to lay the foundations of the edifice as widely as possible, and to gather to its assistance learned men, especially when it had to struggle against such feelings as those which actuated men who contented themselves with contrasting it unfavourably with older institutions, and against feelings of contempt because it was not a teaching body and had no habitation. It was the duty of the House to strengthen it by every possible means. He hoped that the Bill would not be postponed for another six months. It was a step, but it was a good step, and one taken in the right direction. He believed, if a Convocation were formed, as it could easily be if this measure were passed, that Convocation and the Senate would be of material assistance to the Parliament in passing such

measures as would make the University a credit to the colony.

Mr. STAFFORD did not think the real object of the Bill was very well understood by some honorable gentlemen. The honorable member who had just spoken had very fairly placed before the House the intention which the Bill wished to subserve. It might be supposed from the speech of the honorable and learned member for Dunedin that the Bill was intended to strengthen or tighten something of an exclusive character in the hands of a few men in regard to the administration of the University. The object was exactly the opposite. Under the existing law, the Governor appointed to the Senate persons who might or might not be the most competent to advise as to the affairs of the University. The proposal of the Bill was, that this administration should be given to persons whose experience in teaching might be supposed to be of very great advantage in determining what the administration should be. The persons introduced would comprise those who were engaged in teaching in the higher seminaries of New Zealand. Amongst these were persons who had taken high degrees in the older Universities, as, for example, the Professors of the University of Otago, and other persons who were also engaged in teaching at some of the higher schools and colleges in the country, and whose experience as practical administrators would be of very great advantage not only with regard to the general administration, but also as to the books which should be the subjects of study of those who sought to obtain prizes in the University. The Bill, there was no doubt, went in the right direction, although he desired, with the honorable gentleman who had just sat down, that it should go very much farther. He would like to see the powers of Convocation very largely increased. It was very doubtful whether within the next ten years there would be thirty graduates of the New Zealand University to form Convocation, and he did not see why during that time the University should not have the experience of men well versed in high-class education at Home, and who were now engaged in New Zealand. Surely it would be a very great advantage to have the experience of such men. It could not be said that a Convocation formed of men appointed by the Governor, however excellent they might be, was likely to be superior in point of practical experience to a Convocation composed of such men as would be admitted to it under this Bill. One would suppose it was a measure of a restrictive tendency, instead of opening the door to greater power. He agreed with the honorable member for Auckland City East that it did not go as far as he would wish to see: still it was a step in the right direction. It gave gentlemen an opportunity of being introduced into the administration of the affairs of the University who were now excluded; and in order that that object might be carried out, he would have great pleasure in supporting the Bill.

Mr. THOMSON agreed with almost every word that had been said with regard to the advantages of higher education; but he was still inclined to support the motion of the honorable

member for Dunedin, that the Bill should be read a second time that day six months. He thought it would be time enough then to read it a second time. The Bill had been introduced into the Legislative Council by a gentleman who was a member of the Senate; but it did not appear that he had been authorized by the Senate to introduce the Bill. He thought that, if the Senate were of opinion that the constitution of the University ought to be changed, the Senate should have requested one of its members, or a member of the Government, to introduce such a measure as this. Then again, there was this point, which had not been brought out: The Act of 1874, which might be said to be the Constitution Act of the University, was agreed to by the Senate of the University of New Zealand and delegates from the Colleges. It was the result, in fact, of an understanding which had been arrived at; so that it appeared to him, if they passed this Bill, they might be said to be breaking faith with the members of the Senate of the New Zealand University and the delegates of the University of Otago. Now, in the 8th clause of the New Zealand University Act, to which reference had been made, it appeared that the Convocation was not to come into force till there should be thirty graduates. And why was that passed? It had a section to itself in the Act. There must have been some reason for that, and he thought the reason must be something like this: That it was very desirable that there should be a number of young men taking an interest in higher education who were not trammelled by the ideas of the older Universities. Then again, it appeared from the 24th section of the Act that *ad eundem* graduates could not be members of Convocation. There must have been a reason for that too. The Senate seemed to say by this section that it is not desirable that *ad eundem* graduates should be members of the Convocation, or rather that it is not desirable that the Convocation should consist of gentlemen who have taken their degrees at Home unless the Convocation of New Zealand graduates is willing. Now, as he had said, there must have been a reason for that, and he presumed the reason was this: that it was not desirable, as this was simply an examining institution—an institution without a local habitation—that the power should fall very much into the hands of gentlemen residing in one place. It so happened that in the Province of Canterbury there were many gentlemen who had taken degrees in the English Universities—more perhaps than in any other portion of New Zealand; and as those gentlemen would have very great power in electing the members of Senate, the whole of the members of Senate might ultimately belong to Canterbury. He would have more confidence in the Senate if the Governor appointed from the various parts of the colony gentlemen who took an interest in higher education. He thought that, until they ascertained that the Senate of the New Zealand University were desirous of a change in the system, it was not advisable to make any alteration.

Mr. ANDREW, in reply, said one of the chief objections made to the Bill was that it was not

introduced on a formal resolution of the Senate. He would point out that it was recommended by the Chancellor of the University, provided that no draft was made on the University fund. It had been brought down in each House by a member of the Senate, so that everything was done with its approbation. The honorable member for Dunedin had commenced his speech by making an attack on the University of New Zealand generally. The question was not whether the University of New Zealand ought to be abolished or not, but whether it ought to be improved. The honorable gentleman had objected that a knowledge of Greek was considered necessary by the University to qualify a person for a degree; but he would point out to the honorable member that it was not necessary at all. It was optional with a student whether he should be examined in Greek or not. The standard required for a degree in the University of New Zealand was exactly the same as that in the University of Oxford, and he did not think that standard was too high. He was surprised to hear the honorable member for Onehunga say that it was degrading for a member of an old University to hold an *ad eundem* degree in the New Zealand University. He himself had taken a degree in an old University, and he held an *ad eundem* degree in the New Zealand institution, but he did not feel himself degraded. The New Zealand University was a trembling infant, which those gentlemen would crush.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	17
Majority for	...	...	...	...	14

AYES.

Major Atkinson,
Mr. Bowen,
Mr. Brandon,
Mr. Bunny,
Mr. Fisher,
Mr. Fitzroy,
Sir G. Grey,
Mr. Hamlin,
Mr. Hodgkinson,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kennedy,
Captain Kenny,
Mr. Macfarlane,
Mr. Montgomery,

Captain Morris,
Mr. Murray-Aynsley,
Mr. Ormond,
Mr. Pyke,
Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Stafford,
Mr. Stevens,
Mr. Takamoana,
Mr. Tole,
Mr. Wakefield,
Mr. Whitaker.
Tellers.
Mr. Andrew,
Mr. Rees.

NOES.

Mr. Barff,
Mr. J. C. Brown,
Mr. J. E. Brown,
Mr. De Lautour,
Mr. Gibbs,
Mr. Lumsden,
Mr. G. McLean,
Mr. Murray,
Mr. Nabe,

Mr. O'Rorke,
Mr. Reid,
Mr. Reynolds,
Mr. Seaton,
Mr. W. Wood,
Mr. Woolcock.
Tellers.
Mr. Stout,
Mr. Thomson.

PAYES.

For.	Against.
Sir R. Douglas, Mr. Sharp,	Mr. Burns, Mr. Bryce.

The amendment was consequently negatived, and the Bill read a second time.

Mr. ANDREW moved, That the Bill be committed on Thursday next.

Mr. STOUT would move, as an amendment, That the Bill be ordered to be committed that day two months. If that were not carried, he would move, That "The New Zealand University Act, 1874," be repealed. By passing this Bill they were committing a distinct breach of faith, and he had certainly expected a different line of action on the part of the honorable member for Auckland City East. The Otago University was affiliated with the New Zealand University on the distinct understanding that the agreement stated in the Act of 1874 should be complied with. But instead of that, what was to be done? The University would be managed, not by the students under the Act of 1874, but by *ad eundem* graduates. He contended that that should not be so. They were now, for the first time, actually proposing to put the heads of grammar-schools—for they were really nothing else—into the Senate, and allowing them to distribute the moneys to be appropriated under this Act. A more monstrous proposition was never made in any Legislature. Let any honorable member imagine the effect of heads of grammar-schools being made senators of the New Zealand University, with power to distribute grants of money, and not only that, but to appoint examiners to examine their own classes. He could only say that the result would be to teach the Otago University a lesson—the lesson that agreements embodied in Acts of Parliament were not to be considered binding or lasting. He would propose, as an amendment, That the Bill be committed that day two months. The Bill could not be absolutely thrown out, because, as things were going on at present, the Parliament would be in session at that time.

Mr. REYNOLDS seconded the amendment. He was amongst those who took a prominent part in bringing about the affiliation of the Otago University with the New Zealand University, and he certainly now regretted the action he took on that occasion. If he had known that the Act of 1874 was only to endure two years, he should have declined emphatically to have anything to do with the arrangement. He regarded the present Bill as a breach of faith, and believed it would show more than any other measure passed this session, what reliance was to be placed upon the Acts of that House. He felt perfectly sure the people of Otago would feel very strongly upon this question. They would feel that the Assembly had misled them, that it had cheated them of their birthright, and they would resent it with spirit. He trusted that when the Bill was in Committee, if it ever went there, a clause similar to that introduced into the Forests Bill would be inserted. He would do his best to prevent the Bill passing through the House.

Mr. REES said he could not compliment the honorable member for Dunedin either upon the logic of his arguments or the sequence in which those arguments were placed before the House. As a rule, when an honorable member desired by argument and reasoning to convince the House, or to influence the opinions of those whom he was addressing, he brought forward his argument before the question was decided. He did not wait till the question was settled, and then, for the first time, state the arguments upon which the question should first have been decided. The honorable member made reference to a former Act, and now denounced the present Bill as a breach of faith. Certain conditions were made—a certain understanding was arrived at; and because those conditions were made, and that understanding arrived at, the honorable gentleman said the House ought not to pass this Bill. Why did not the honorable gentleman say that in the course of his argument? He knew it himself. How were other honorable members to know it unless he told them? If he expected honorable members to vote upon an understanding of that sort, he should have shown that such an understanding existed, that certain measures were carried upon that understanding, and that the understanding itself was a reasonable one. But even now he was not convinced by what the honorable gentleman had just told them, nor did he see that the Assembly had done wrong in the slightest degree. What was a University for? It was for the dissemination of knowledge, the honorable gentleman said; and all the powers of Convocation were to be exercised—by whom? By undergraduates—men of no experience, men reared up to some extent with narrow opinions, men who had not had the advantage of converse with the great and the learned, men who had not undergone University discipline, and had very likely resided in this country all their lives. Could the powers of Convocation, he asked, properly be left to them? He refused to adhere to such an agreement. He cared nothing for the Otago University or anybody else in matters of this kind. He said that a Convocation composed of gentlemen who lacked all the essential qualifications he had named—all honor to them for having fitted themselves to pass a University examination—but a governing body composed of those gentlemen would not be likely to manifest that broad comprehension, that culture of mind, that resource of thought, and that grasp of intellect, which men composing the governing body of the New Zealand University should have. He was astonished at the narrowness of the honorable gentleman's views, and he was also astonished to hear that the Otago University had bartered away its rights for some property—some endowment—it had obtained.

Mr. STOUT.—We were denied a charter.

Mr. REES.—Who denied the charter?

Mr. STOUT.—This Government.

Mr. REES.—Well, be it so. This Government, which could give a charter, had given a charter to a broader school—the New Zealand University. Was it to be supposed that one province, one town, or one district was to arrogate

to itself the position of the leading educational establishment of the colony, to place itself in such a position that no one else should be permitted to stand on an equality with it? It was not at all to be desired that one portion of the colony should elevate itself, to the exclusion of others, into a school of learning. That was to cast every other school, not only by the superiority of its works, but by its laws also, into the shade.

Mr. STOUT said the Otago University did not object to a charter for the New Zealand University; and he regretted to observe that the honorable gentleman did not understand the question.

Mr. REES said the honorable gentleman might attempt to be funny, but his witty shafts had no effect upon him. He considered himself impervious to such witty thrusts. They were told that this Act was restrictive, and that they should be narrowed down, "cribbed, cabined, and confined," because this Otago University imagined it should enjoy a supremacy. What claim had the Otago University upon this country? It certainly had a claim to their respect; it was entitled to have its just rights; but was it to be said that members of the House were to place the New Zealand University at a disadvantage for all future time? That would be preposterous. Perhaps the honorable gentleman would next tell them that no legislation should take place unless Dunedin, unless Otago, was in the first place to be considered. Everything must be subservient to that. Because some understanding had been arrived at in some past time, hereafter it would be regarded as a breach of faith if some improvement of the law were made by the House. He objected to such a conclusion. He did not think it was right or just, nor would it reflect creditably on their judgment or redound to the credit of the Legislature, if the affairs of the University were to be conducted in that spirit. All that had been done was to gather into the Convocation many learned men, to include in its ranks gentlemen who had benefited from association with the great, and had profited by the past history of old countries. In doing so they had only done what was right. If any such arrangement as the honorable gentleman had alluded to was ever made, then it was an arrangement against public policy; it was an arrangement which would hamper the progress of education; it was an arrangement which would clip the wings of any society that might aspire to any height whatever in learning. He was sure the Parliament of New Zealand would show its sense by setting aside any such arrangement, and by putting its leading educational establishment on a proper basis. As to the honorable member for Port Chalmers, he did not know that the honorable gentleman was a man of much weight in University matters. He was not aware whether the honorable member was a graduate of any University; but he must say he was astonished at the narrowness of the views of gentlemen who said that because the Otago University was affiliated to the New Zealand University it would be

a disadvantage to call to its councils the graduates of all other Universities who happened to be in New Zealand. Instead of shutting up the Convocation to comparatively raw lads who might obtain degrees here, it would be rather an advantage to avail themselves of the services of men of age, erudition, and experience. That was an extremely narrow view to take. He hoped the House would not consent to postpone the Bill, but would let it take its ordinary course, and stand for committal next Thursday and be passed. He was sure that in years to come members of the University of Otago would themselves be the first to say that the House took a wise and just course in doing what it had done to-night.

Mr. ROLLESTON would say that the course taken by the honorable member for Dunedin had astonished him very much. Personally, he knew very little of the Bill until he read it the other day, and he had nothing whatever to do with originating it. It had been a matter of some thought with him whether the Bill was altogether advisable or not, for this reason: It seemed doubtful whether it would insure a Convocation of men who could work, considering the expense that would be incurred in establishing the Convocation, and the difficulty of bringing it to bear upon elections. It seemed to him, after thinking the matter over, that the function which was going to be given to the Convocation by the Bill was simply that of election, and that would be popularizing the constitution of the University. It would make the Convocation of the University elective by those who possessed a qualification, in respect of education, throughout the country, instead of leaving the nomination of those gentlemen in the hands of a political body; and he thought very great advantages were likely to accrue from that. A University did not consist of halls and chapels and lecture-rooms, but it consisted in the aggregation of learning. He was surprised to hear the honorable member for Clutha speak as though evil would accrue if there were more representative men of learning in the Province of Canterbury than in Otago, who would be likely to get greater influence. What was wanted to be done was to bring the largest amount of learning to bear upon the University, and to make it a representative body of learning and nothing else. He had heard jealousy expressed of Professors and men engaged in education having a voice in the working of this educational institution. He could not conceive any educated man grudging to men of education a position which their learning qualified them to undertake in a learned institution. For his own part he desired particularly to see those men whom—all honor to her—Otago had imported, possess an influence in the University which they could not now under its present constitution exercise. He wished to see men, wherever they were, rich or poor, throughout the country, whatever the position they might be in, provided they had the qualification of learning, influence the University in establishing the highest standard of learning that could possibly be attained. He believed the Bill was a step, although an imperfect one, in the direction of making the people of

New Zealand feel they had got the question of higher education in their own hands, and that it was not to be exercised second-hand by any political body. It was the first step to making the New Zealand University the crowning point of our educational system—a system which should begin in the primary schools, and go step by step to what ought to be the highest council of education—the University of New Zealand.

Question put, "That the word 'week' proposed to be omitted do stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	14
Majority for	...	...	...	...	14

AYES.

Major Atkinson,	Mr. Ormond,
Mr. Bowen,	Mr. Pyke,
Mr. Brandon,	Mr. Rees,
Mr. Fisher,	Mr. Richardson,
Mr. Fitzroy,	Mr. Rowe,
Sir G. Grey,	Mr. Stafford,
Mr. Hodgkinson,	Mr. Stevens,
Mr. Hunter,	Mr. Takamoana,
Mr. Hursthouse,	Mr. Tole,
Mr. Johnston,	Mr. Wakefield,
Mr. Kennedy,	Mr. Whitaker.
Captain Kenny,	
Mr. G. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Andrew,
Mr. Murray-Aynsley,	Mr. Rolleston.

NOES.

Mr. Barff,	Mr. Reid,
Mr. J. E. Brown,	Mr. Reynolds,
Mr. De Lautour,	Mr. Seaton,
Mr. Gibbs,	Mr. W. Wood.
Mr. Lumsden,	
Mr. Manders,	<i>Tellers.</i>
Mr. Murray,	Mr. Stout,
Mr. O'Rorke,	Mr. Thomson.

PAIRS.

<i>For.</i>	<i>Against.</i>
Sir B. Douglas,	Mr. Burns,
Mr. Sharp.	Mr. Bryce.

The amendment was consequently negatived, and the Bill was ordered to be committed on Thursday next.

RABBIT NUISANCE BILL.

This Bill was considered in Committee.

Clause 6.—Trustees to be elected annually.

Mr. WOOD moved, as an amendment, That the following words be added to the clause: "Notice of such meeting shall be advertised three times in a newspaper circulating in the district."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	19
Majority against	...	...	...	...	10

AYES.

Mr. J. C. Brown,	Mr. Thomson,
Mr. De Lautour,	Mr. Tribe.
Mr. Hialop,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Joyce,
Captain Morris,	Mr. W. Wood.

NOES.

Mr. Bowen,	Mr. Reynolds,
Sir R. Douglas,	Mr. Rolleston,
Mr. Fisher,	Mr. Stafford,
Mr. Hursthouse,	Mr. Stevens,
Captain Kenny,	Mr. Teschemaker,
Mr. Manders,	Mr. Wakefield,
Mr. G. McLean,	Mr. Whitaker.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Murray,	Mr. Andrew,
Mr. Murray-Aynsley,	Mr. Hodgkinson.

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Baigent.	Mr. Larnach.

The amendment was consequently negatived.

The Bill was reported to the House with amendments, which were agreed to, and the Bill read a third time.

The House adjourned at twenty minutes to two o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 6th October, 1876.

First Readings—Third Readings—Abolition Act—Dunedin Wharves and Quays Bill—Education Boards Bill—Port Molyneux Reserve Leasing Bill.

The ACTING-SPEAKER (the Hon. Major Richmond, C.B.) took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Oamaru Tramways Bill, the Ohinemuri Agricultural Leases Bill, the State Forests Bill.

THIRD READINGS.

The Roman Catholic Lands Bill, the Blueskin Recreation Reserve Bill, the Moa Flat School Reserve Bill.

ABOLITION ACT.

The Hon. Captain FRASER, in moving the motion standing in his name, said that within the last few days Ministers, in a letter to the Governor, made reference to an opinion of the lawyers of the Crown in England. He very much desired to see that opinion laid on the table, because it would allay the excitement and dissatisfaction that at present, he believed, prevailed amongst a large majority of the people in Otago, who were under the impression that they were about to be illegally deprived of their Land Fund, and to have distasteful institutions illegally imposed on them, in lieu of those constitutional ones under which up to the present they had flourished and been happy. On 1st September, 1874, the Attorney-General, in reply to

a communication from Ministers, sent in a memorandum which was considered to be of so important a nature that, when Parliament met, His Excellency the Governor directed that a copy of it should be laid on the table of both Houses of Parliament. He would read the last paragraph of that memorandum, because it bore upon his motion:—

"Questions have been raised as to the construction of the Act above referred to; and, though I see no room for doubt or question, I think that it would be well that the Secretary of State should be asked to take the opinion of the Law Officers in England, and, if any doubt whatever is entertained by them, that a Bill should at once be passed for removing the doubt."

Now, when the Attorney-General said, "I think this or that should be done," that was equivalent to advice, and he (Captain Fraser) must suppose that the Government acted upon that advice, and got the opinion. Now he would go farther and say that he took it for granted, if the representative of Her Majesty in this colony should consider the case so grave, that he would deem it to be his duty to see that the Secretary of State was communicated with on the subject. If the Government had not done this, they had, he thought, done either a foolish or a very wicked thing, and must be responsible for the present dissatisfaction which prevailed in two of the most important provinces of the colony. He had read and re-read and studied the Imperial Act of 1868; and reading the clauses by the light of the preamble, he could see no authority, either according to the spirit or the letter, for eradicating Provincialism. He did not believe it was ever the intention of that Act to give a power to eradicate Provincialism. The only power it gave was to do away with and to reconstruct the provinces. Then the question naturally arose, were they introducing a reform or were they bringing about a revolution? He was not going to discuss the question whether the people of Otago were justified in resisting what they considered to be a revolution, because, although the forefathers of all those settlers went cheerfully and manfully to the death for what they considered to be a broken Covenant, he did not believe that one of their descendants would risk his head to-morrow for a broken Constitution.

Motion made, and question proposed, "That there be laid on the table copies of any opinions of the Law Officers of the Crown in England which may have been applied for and received by the Government in accordance with the advice of the late Attorney-General, dated 1st December, 1874, presented to both Houses of Parliament by command of His Excellency."—(Hon. Captain Fraser.)

* The Hon. Dr. POLLEN said that perhaps his honorable friend would be content to withdraw his motion when he told him that no such opinions had been obtained, and that no application had been made for such opinions as those which he had mentioned. It was very much to be regretted that misimpressions as to the power of the General Assembly should prevail, as he was aware they did to a very considerable extent

in such important provinces as Otago and Auckland; but the responsibility for those misimpressions must rest on those gentlemen who, knowing better, for their own purposes sought to perpetuate this misimpression. There had not been, and there could not be, any doubt as to the powers of the Assembly to abolish the provinces in New Zealand. If there were any doubt about it whatever, it ought to be removed by the fact that the Abolition Act passed last session was left to its operation by Her Majesty's Advisers on the other side of the world. Of course, if there were any such document as his honorable friend wished to have, it would be laid on the table without hesitation; but no documents such as he referred to being in the possession of the Government, his resolution would be simply useless.

The Hon. Mr. MENZIES desired to say a few words with regard to what fell from the Hon. Captain Fraser in reference to the state of feeling in Otago upon this subject. No one could deny, seeing the opinions expressed by the great majority of the Otago members, that they had been returned by those who believed in Provincialism, and who supported it; but though the majority returned members holding those views, yet he knew very well—and he did not think his honorable friend knew so well as he did, seeing that the honorable gentleman had only but recently arrived from Home—that the minority was a very strong one in Otago, and held exactly opposite views; and from all he had learned when he was in Otago and since he came here, he thought the minority would very shortly become the majority, except perhaps in a few of the centres. He had come to the conclusion that, although very considerable manifestations had been made in some localities, those manifestations had been caused by certain parties who desired to have their own conduct indorsed, as far as possible, by what appeared to be an expression of public opinion. He knew that in the country districts the feeling for abolition prevailed over the feeling against it. He had no doubt that in Otago the settlers would, for the most part—except in some centres—hail the measures in progress in the Assembly as substitutes for provincial institutions.

* The Hon. Mr. J. JOHNSTON said it appeared from what the Colonial Secretary told them, that the Government had been guilty of a very grave omission, and he thought had acted unfairly to those opposed to the abolition of the provinces. Although he recognized fully the power of Parliament, yet upon so grave a question as such an alteration in their Constitution, and with doubts expressed by the Attorney-General as to whether the act of abolition was an exercise of legitimate authority, the opinion of the Crown lawyers should have been obtained. What was the effect of the absence of such opinion, and of the consideration that if the question had been so submitted the reply might have been in the negative? The Queen had not assented to the Abolition Act, but merely left it to its operation. As he understood, the Queen might, during the period of two years, refuse her assent, notwithstanding the Act had been in operation.

It was a rare occurrence for an Act to be left to its operation; and to his mind it occurred only when its provisions were irreconcilable with the sense of right of her legal advisers. The one Act that presented itself to his mind in which such a course had been followed by Her Majesty, was the Bill—he might say the unjust Bill—passed to materially lessen the value of the New Zealand Company's scrip. He had heard from a gentleman well known in this part of New Zealand, Mr. Tollemache, that he, recognizing the injustice of that Act, obtained an opportunity for discussing its enactment with the Colonial Office, and that its injustice and *pro tanto* repudiation of a liability of the colony were admitted. That Act did not receive the assent of Her Majesty, but was allowed to pass into operation, the Crown lawyers no doubt thinking that we had ideas of honesty in this part of the world which did not obtain elsewhere.

The Hon. Mr. MANTELL wished to draw attention to one point. The Queen had been only pleased to leave this Act to its operation, and it was said by the Hon. Mr. Johnston that she had power to disallow it at any time within two years. But he would point out that the very nature of the Act was such that, before the expiration of that period, it would come into operation. Therefore, if Her Majesty proposed to exercise her power of disallowance, it would be necessary to exercise it at once. Consequently, he attached no importance whatever to the fact of the Act being left to its operation, instead of having received the Royal assent.

The Hon. Captain FRASER would ask leave to withdraw the motion, as the Colonial Secretary said there were no assets.

Motion by leave withdrawn.

DUNEDIN WHARVES AND QUAYS BILL.

The Hon. the ACTING-SPEAKER said he had received the following telegram with reference to this Bill:—

"Dunedin, 5th October, 1876.

"To the Hon. the Speaker of the Legislative Council of New Zealand.

"The Mayor and City Council venture humbly to protest to your honorable House against the action of the House of Representatives in passing the Dunedin Wharves and Quays Reserves Bill, by which it is sought to deprive this city of its annual rentals from the Dunedin Wharves and Quays Reserves, and to transfer said reserve and rentals to the Otago Harbour Board.

"The following is a copy of a petition to your honorable House which has been this day adopted by the Dunedin City Council, and which leaves Dunedin per first post—namely, on Saturday morning next. Pray submit this telegram to the Upper House as soon as possible:—

"That your petitioners beg to remind your honorable House that during the present session your petitioners memorialized both Houses of Parliament, praying that the City Corporation of Dunedin might not be deprived by legislation of its control over the Wharves and Quays Reserves, Dunedin, and the annual rentals in respect thereof, the rentals from the reserve having

been municipal revenue or income now for a period of some nine years. That the Public Petitions Committee of the House of Representatives, after considering the said memorial, reported that it had no recommendation to make thereon; and that the Public Petitions Committee of your honorable House has reported, in the matter of the same memorial, that, after full inquiry, it saw no reason to interfere with the existing occupation of this reserve by the City Corporation of Dunedin.

"That, notwithstanding these facts, the House of Representatives has, at the instance of the Otago Harbour Board, passed during the present session a Bill to place this reserve in the hands of the said Otago Harbour Board, and to make for the future the annual rentals from the reserve Otago Harbour Board ordinary revenue. That your petitioners view this action of the House of Representatives with extreme regret and disappointment, and venture to approach your honorable House with an earnest protest in the case.

"Wherefore your petitioners humbly hope that your honorable House may see fit to reject the Bill passed by the House of Representatives entitled, 'The Dunedin Wharves and Quays Reserves Bill, 1878.' And your petitioners as in duty bound will ever pray."

"CHAS. REEVES,

"Mayor of Dunedin."

The Hon. Mr. MANTELL, in moving the second reading of the Bill, said that never before in his experience, or he believed in that of any other member, or in any other Legislature, was a member met, when about to move the second reading of a Bill, with the publication of a manifesto such as that just read. He thought the precedent one of a very inconvenient kind. The Legislative Council was also referred to under a title which he was not aware it had ever assumed—namely, the Upper House. He was afraid he could scarcely do justice to this matter—although a simple one—owing to the manner in which his nerves had been disturbed by the introduction of a thing so elaborate as the telegram just received. The Bill which had been intrusted to him was one which proposed to do an act of simple justice in the allocation of certain reserves in the city of Dunedin. The history of those reserves, although extending over a long time, might be given in a few words. When the city of Dunedin was originally laid out, the water frontage was cut up into sections like every other part of the town, except where streets led through them. This excited the displeasure of the New Zealand Company, and in that they were confirmed by Captain Cargill, the Agent of the New Edinburgh Association; and in accordance with instructions the whole of the sections on the water frontage were obliterated, and the land set apart for reserves for wharves and quays. To this disposition of the reserve the original proposers adhered with a tenacity of which they had many instances from that quarter; and he hoped they would have many more such instances, because the tenacity of the Otago people, when it took a proper direction, was a very good thing indeed. To give an instance of that tenacity, he

would recall to honorable members' minds the period when the New Zealand Company ceased its operations, and those reserves in Dunedin vested in the Governor of the colony. The Governor, seeing a beautiful Octagon laid out in the centre of the city, supposed that it would be a good place for the erection of a church. He therefore promised to give the land in the Octagon to the Church of England—the Episcopalians, as they were called in that part of the world—as a site for a church. There was a tremendous stir immediately upon the subject. The Episcopalians put up a fence round the reserve, and talked of proceeding to build there. Members of the Provincial Council were urged by one of their body, and, he thought, not without success, to threaten, in case of the building being commenced, to go there in a body and pull it down. On the other hand, an old friend of his (Mr. Mantell's), who went by the name of "Sandy," although he believed his real name was something very different, threatened to station himself on the spot and shoot the members as they came there. That would serve to show the great tenacity of the people for the proper allocation of these reserves. The reserve in question, according to them, having been made in imitation of an open space called Moray Place in Edinburgh, there had been a distinct understanding that no permanent building whatever should be erected upon it. The wharves and quays reserves had remained up to the present time, with the exception of some portions that were appropriated, including one portion which was taken for a manse; another block which had been invested in various ways, the authorities for the time having had to bow to influential citizens—he thought Mr. John Jones had a share in acquiring freehold in that block, and Mr. John Jones was a very influential citizen;—another part which the Government had taken for a Native reserve, but which was compelled to be surrendered on the plea that these reserves were for wharves and quays, and could not be devoted to any other purpose; and that part which had since been granted to the Corporation of Dunedin. What remained was a certain strip of land ordinarily known as Pelichet Bay, amounting altogether to about eighteen acres. All this land had been granted to the Superintendent by the Governor in trust for various purposes. Honorable members had seen so much literature upon the subject that he need not tell them that it was under an Ordinance of 1867 that these were specially diverted, and the proceeds ordered to be appropriated to wharves and quays. By a subsequent Act the appropriation for the objects of the Corporation had been sanctioned. At the time the Superintendent placed these wharves and quays reserves under the management of the Municipal Corporation, there was no Harbour Board in existence. Had there been one, he was sure it would have been unnecessary for him to occupy the time of the Council by introducing this Bill; because it was so natural that these reserves should form part of the endowment of the Harbour Board that the Superintendent could not have hesitated for a

moment to convey them to the Board. However, until the creation of the Board the Superintendent placed the reserves in the hands of the Corporation. The Harbour Board had been created, and desired to have its original endowments made over to it; and the object of the Bill was to endow that body with these reserves. The Corporation, on its side, was of course naturally desirous to retain them: having got possession of them, they naturally declined to part with them. He would remind the Council that the Corporation was an elective body, and had the unpleasant duty of imposing rates upon its fellow-citizens. The greater the endowments the Corporation could get, the less, it seemed to the citizens, would be the rates they would have to pay. He said "seemed," because he had never found that the rates diminished after the acquisition of property by a Corporation. A Corporation, when it got additional endowments, did not regard it as a means of reducing the rates so much as a means of increasing its borrowing power. The Corporation, therefore, as already announced to the Council in the printed document with which he believed every honorable member had been favoured, were evidently ready to do fierce battle for the reserves, and had commenced that fierce battle with the opening shot by which his nerves were startled, when he was called upon to move the second reading of the Bill. He hoped that by its decision with regard to this Bill the Council would put an end to this fierce battle, by restoring to the Harbour Board that to which it was justly entitled. The Corporation had already acquired very valuable reserves on terms never contemplated on the constitution of the New Edinburgh Settlement. It was never intended that the large town reserves which the Corporation had enjoyed so long should pass gratuitously into its hands. It had large endowments; and the Harbour Board, on the other hand, had nominally large endowments, but unfortunately they were under water. It might be argued that, as reclamation was going to take place in front of this strip of land, therefore the land ceased to be applicable to wharves and quays. He did not think there was anything whatever in that argument. It was necessary to have a starting-point on the mainland before they could make a wharf or quay, whether they made it of timber, brick, or stone, or, as was intended in the present instance, of earth. However, the facts remained, that the Board, though nominally having large endowments, had really no landed endowment whatever; that those reserves were originally intended for the purpose of wharves and quays; that they had simply been placed in trust with the Corporation; and that now, the proper body for their administration having been called into existence, it seemed fit that these reserves should be transferred to that body. The Bill itself was a very simple one. Clause 2 merely directed that the land should be invested in the Otago Harbour Board. Clause 3 gave the power of leasing; and clause 4 simply described an inexpensive method of carrying on transfers, &c. He was aware it might be said that the public creditor might have a certain claim upon these

reserves in respect of loans which had been raised upon them—that they were handed in to the Bank of New Zealand in the schedule of the property of the Dunedin City Council when they employed that Bank to raise loans for them. That, it appeared, was the case. However, merely including these in their schedule had no more effect than the fact that when the Harbour Board on its side was raising a loan they were also included in the schedule of that body.

The Hon. Captain FRASER.—Were they?

The Hon. Mr. MANTELL said he held in his hand an advertisement cut from the *London Times* of the 8th March, 1876. The reserves were not specified in the advertisement, but he was informed that they were included in the schedule.

The Hon. Captain FRASER thought it was a pity that fact was not shown before.

The Hon. Mr. MANTELL said the honorable gentleman could find information on that point in certain evidence given before the Committee. With the permission of the Council, he would read some of that evidence. He would, however, remark, in reference to this point, that any one might have high legal authority for saying that the lender to either body could have no security whatever over the reserves. In the Committee, the following question was put:—

"Are you aware that the reserves are now held by certain creditors for a loan?—I have been told so, but I do not think that is correct, for this reason: that the city has no power to borrow a shilling on its reserves. . . . Further than that, they could not bind any one by saying that the reserves were to be security. It is incorrect to say that."

Then, again,—

"Then the Committee are to understand that the Municipality could not advance these rents as security for the purpose of borrowing?—No; except in an indirect way.

"As a collateral guarantee that they were able to pay interest?—Yes.

"Mr. Murray.] Do you think a trustee would be justified in putting in some property he holds in trust for other purposes as security for the raising of money to be applied to his own purposes?—They could not have put this reserve in as security at all."

And further on,—

"Mr. Murray.] If this trustee should take that course [having a Receiver appointed, and so on], do you consider that would be a good claim why the trust property should be conveyed to him?—I do not think the thing ever arose, except in the way I tell you. The money was lent on the mortgage of the rates. They may have submitted a schedule of the rents, and said, 'We will be quite able to pay your interest and sinking fund;' but further than that I do not think the lender ever considered it. The Corporation are not in the position of absolute trustees."

Probably the honorable gentleman might assume that this was the evidence of a partisan. It was the evidence of Mr. Stout. He was anxious to see the form which the fierce battle over the reserves would take in the Council, and therefore

he would confine himself to those remarks, and ask the Council to allow the Bill to be read a second time.

*The Hon. Captain FRASER knew that his honorable friend Mr. Mantell had no pleasant reminiscences of his early sojourn in Otago. But that was entirely his own fault. He, a Saxon, and belonging to a foreign Church, to venture down to a Free Kirk settlement! The fact that he was present before the Council was a very high compliment to Otago. He (Captain Fraser) had been engaged on the Petitions Committee about this wretched affair for the last month, and he was perfectly sick of it. He knew this with regard to the original reserves for wharves and quays: that he was told Mr. Domett insisted that all reserves should be christened, and they were called by any name that was chosen for them. But it had been the habit of the people of Otago to divert reserves from time to time to other purposes than those for which they were originally intended. It was only within the last month that the Harbour Board had given its consent that a portion of this reserve should be applied in a different direction; and last year a recreation reserve in Oamaru was diverted by the General Government and given to the Harbour Board of Oamaru, so that it was no plea at all to say that this reserve was part of the wharves and quays of Dunedin, because in that town nearly half the reserves had been diverted to other purposes. The Committee examined a banker in Wellington who told them the reserve in question was included in the schedule of collateral assets given by the Corporation of Dunedin to the Bank, and that if the reserve were taken away from the Corporation a breach of faith to the bondholders would be committed, and it would be very difficult to obtain a loan in future. It was, he believed, chiefly that evidence that influenced the Committee in coming to its decision. The Superintendent of the province was also examined; and although he was Chairman of the Harbour Board, he said he thought it would be very advisable that things should remain as they were, and that these reserves should be left with the Corporation. His honorable friend Mr. Mantell forgot to mention one thing which he (Captain Fraser) would state—namely, that he was advocating this measure against his own interests, because he held a very valuable property in Dunedin, and if the reserve were taken out of the hands of the Corporation it would make a difference to him of about threepence in the pound in rates. He (Captain Fraser) was entirely influenced by the fact that this reserve had been shown as a collateral asset by those who borrowed £100,000 the other day, and that it would be a breach of faith to the bondholders if it were now diverted. The Harbour Board only knew of this reserve very lately, and he would be very much surprised if it could be shown that they had included it as collateral security in the schedule of properties upon which they had borrowed money. The only plea they had was that upon the reserve was written "Wharves and Quays." Supposing that at San Francisco there was a reserve made for wharves and quays, what would become of

that reserve when the water had receded three miles from it? It is the same in Dunedin. This reserve now was far inland, and the mere fact of its having been christened "Wharves and Quays" did not give it permanently the character of a harbour reserve. The gentleman who was most opposed in the other House to this Bill as originally introduced, snatched it up and had it entirely changed from beginning to end. The Hon. Mr. Waterhouse had intended to move that the Bill should be thrown out in consequence of the irregular manner in which it was introduced, being of opinion that it would be a very dangerous precedent to pass a Bill introduced as this had been.

*The Hon. Mr. PATERSON hoped the Council would not agree to the second reading of the Bill. As the Hon. Captain Fraser had said, it was not at all the same measure that was first introduced into the Legislature. An opponent had adroitly taken advantage of the temporary absence of its original promoter, and had changed entirely its whole nature and provisions, so that now it was quite the reverse of what it was at first. There could be no doubt that the name attached to this reserve had misled many in regard to the nature of the questions now raised in regard to it. At the time that reserve was made, it was the waterside boundary of the town; but at the present time it was nearly in the centre of the town, and was no more fit for the purpose for which it was originally intended than any other part of the town. It had therefore been regarded as a reserve to be appropriated to the general purposes of the Municipality of Dunedin ever since it passed into the hands of that body. In order to compensate for the diversion of this land from the purpose for which it was originally intended, the Harbour Board, when it was constituted, got large endowments on the waterside, which could be made available for the purposes to which this reserve was originally intended to be applied, but for which it was no longer suitable. The Harbour Board had now got an immense endowment of land in that particular locality, and had already been enabled to borrow a large amount upon the security of that endowment, which had resulted in their having at the present time more money than they knew what to do with. Therefore it was not on account of any want of funds to carry on their operations that they claimed this reserve, but simply because it was at a former time set apart for wharves and quays. He thought that the report of the Committee to which this matter had been submitted ought to weigh very much with members of the Council. The Committee had gone very carefully into the question, examined witnesses, and taken all the evidence that could be obtained on the subject, and had deliberately arrived at the conclusion that there was no adequate reason for disturbing the present arrangement regarding the reserve. He thought the members of the Committee might be allowed to be in a better position to form a deliberate opinion on the subject than members of the Council who only considered it in debate; and therefore he thought the Council would do well

to listen to the advice of the Committee, who had refused their sanction to the passing of this Bill. As had been stated by the Hon. Captain Fraser, it would materially interfere with the revenue of the city of Dunedin to make this change, and, as had already been pointed out, the reserve was particularly stated as an asset included in the securities for money borrowed by the Corporation for municipal purposes. Seeing that the Corporation had for many years been allowed to use that money for general municipal purposes, he thought it would be very wrong now to disturb the present arrangement, except for more cogent reasons than had been assigned. If the Harbour Board were in want of funds or endowments, and had no means to carry out the work for which it had been appointed, he would say, Let it have the reserve; but seeing that the Board had been amply provided with other means, the Council should pause before sanctioning the transfer of the reserve to that body.

* The Hon. Colonel BRETT said that, as a member of the Petitions Committee, and having carefully, with other members of the Committee, investigated this matter, he could not support the Bill, because by doing so he would be stultifying himself, after having agreed to the report of the Committee, and which, with the permission of the House, he would read:—

“That your Committee, having carefully weighed the evidence thereon, have the honor to report, That they see no reason to disturb the present occupants of the reserve in question.”

He considered that this Bill was rather premature. The Harbour Board should, in the first place, lay their claim before the Supreme Court, and, if they were successful there, they should apply to the Legislature for an Act. The Committee had come to the conclusion that the Harbour Board was in no way entitled to this reserve. It had been proved that many reserves in Dunedin had been diverted from their original purpose; and the claim of the Harbour Board was made simply upon the fact that this reserve bore at one time a particular name. Not only could he not support the Bill, but he did not think that any of the other members of the Petitions Committee could be parties to its passing, or they would stultify themselves, having already come to an opposite conclusion. He was so opposed to this measure, and considered it such an unjust one, that he would move that it be read a second time that day three months.

* The Hon. Mr. G. R. JOHNSON had no wish to appear to stultify himself, and, at the same time, desired to vote in favour of the Bill. He would explain the reasons which induced him to adopt that course. He was a member of the Committee before which the petition was considered, and he must say that the members of that Committee took a great deal of pains in coming to a conclusion on the subject. There was a good deal of evidence brought before the Committee—evidence of a very conflicting character; and it was difficult to arrive at a decision in regard to the matter. He would like to state shortly the reasons which led him to the conclusions he had adopted on this

question. It certainly appeared that this reserve was made in the first instance for wharves and quays. There were some Provincial Ordinances, and also, he thought, a General Assembly Act, affecting it; but it appeared that, in whatever position the reserve now stood, the proceeds from it were still devoted to the purposes for which the grant was originally given—namely, for wharves and quays. (“No.”) If the proceeds were made use of for other purposes, the appropriation was illegal.

The Hon. Mr. PATERSON said that the Provincial Council of Otago had authorized the Corporation to devote the proceeds of the reserve to general municipal purposes, and that was stated decidedly in an Act.

* The Hon. Mr. G. R. JOHNSON.—Well, he might have misread those Acts; but he was quite certain that the reserves were handed over to the Municipal Corporation, and he believed that in the Ordinance which so handed them over there was a clause directing that the proceeds from those lands should be appropriated to the original purpose—namely, the construction of wharves and quays. In those circumstances, he contended that the proceeds of those lands must be appropriated for that purpose. As things now stood, the lands were in the possession of the Municipal Corporation, and the proceeds of them had to be appropriated for purposes which were within the jurisdiction of the Harbour Board. That state of things no doubt would, if he had formed a correct opinion, lead to a collision between the Harbour Board and the Municipal Corporation. He could not see any reason why the lands should not be handed over to the Harbour Board; and if that were done, the collision which he foresaw would be avoided. It was said that these revenues had been made use of as collateral security for raising money. He could not imagine that the persons who undertook to raise money were ignorant of the true position in which the lands stood, and they must have satisfied themselves that they were not giving illegal security to those who lent the money. The money was lent on the security of the rates; and if they looked for any further security than those rates, it was their own affair, and they must take the consequences. It had also been objected that this question came before Parliament at too early a date, and that the Harbour Board should have taken proceedings in a Court of law, in order to recover the lands. But he did not consider that the Harbour Board was in a position to take such proceedings. The Board had never got possession of the land—it was in possession of the Municipal Corporation. Therefore the question could not be tested in that way. It had been said also that the present Bill was totally different from the original Bill, which was introduced in another place. He had not seen the Bill as it was when originally introduced; but he thought, from what he had heard, that the object was to confirm the Corporation in their ownership of the lands. That fact, in his opinion, showed that there was some uncertainty about the ownership, and that it was doubtful whether the lands should belong to the Municipal Corporation or not. He was of opinion

that the Council should decide the question in favour of the Harbour Board.

* The Hon. Captain FRASER, speaking to the amendment, would say that the Crown grant of the reserves was in the hands of the Superintendent of Otago, and that Crown grant would show very clearly that the land was merely given in trust to the Corporation. There would be no difficulty whatever in bringing the matter into a Court of law, because, if the claim of the Corporation was a good one, they could apply for a right of re-entry.

* The Hon. Mr. BONAR said that, in common with nearly every member of the Legislature, his attention had been drawn to the dispute which existed with regard to these particular reserves. He had given the matter some consideration, and had come to the conclusion that it resolved itself into a simple question, on which any impartial person could come to a conclusion without any difficulty whatever. It did not appear to be denied that the original object was to set apart these lands as a reserve for wharves and quays. The only question was whether the lands had been transferred to the Corporation in such a manner as to divert them from their original purpose. If they looked at the Ordinance by which these lands were transferred—namely, "The Dunedin Reserves Management Ordinance, 1867"—they would find it was provided, in regard to this particular block,—

"That they shall be, and the same are hereby, transferred to and vested in the Corporation of the City of Dunedin . . . in trust for the like public purposes for which such lands are now held, which purposes are severally named and set forth in the said First Schedule hereto immediately before the lands to which they respectively apply."

That showed that when the lands were handed over to the Corporation they were so handed over in trust, and for the purpose for which they were originally intended. It was perfectly true that power was given to the Corporation to apply the proceeds of those lands to the general purposes of the Corporation; but it should be borne in mind that when the proceeds of those lands were handed over to the Corporation there was no Harbour Board in existence; and he presumed, therefore, that any work which required to be done in connection with the construction of wharves and quays would necessarily have fallen to some extent on the Corporation. Therefore the only question of difficulty in the matter was, whether the Corporation, having been intrusted with the proceeds of those lands, had so far acted in a proper manner with them. He thought the evidence which had been taken on that subject was very conclusive. He supposed that he would not be strictly in order in quoting from evidence taken by a Committee of the other House; but the facts appeared very plainly stated in the minutes of that Committee, which had been circulated amongst honorable members. It had been shown very clearly by the Town Clerk of Dunedin, who, he supposed, was interested on the part of the Corporation, that the proceeds of those lands were included in the

published statement of the assets of the Corporation furnished to the Bank of New Zealand when applying for a loan in the Home market. It was quite clear that the Corporation had no power whatever to borrow money on the security of those lands, but solely upon their rates, and therefore the Council were relieved from responsibility as far as that was concerned. But now they were told that, if the land were taken from the Corporation, the advances that they had received would be materially affected thereby. Now, he would like to refer to the extent to which the security of the Corporation would be affected by the withdrawal of those lands at the present time. He found that the annual rents of the Corporation of Dunedin were estimated to be about £8,000 per annum, and of that amount the rents from the particular reserves referred to in the Act only amounted to something like £450 or £500 per annum. Thus it was only to the extent of £450 or £500 per annum that the security of the Corporation of Dunedin could be affected. Seeing that the Corporation had no legal title to borrow money on this security or to pledge the reserves, he thought the Council should not be bound in any way by the statement that the security of the Corporation would be affected. He thought it was perfectly proper and legitimate that those reserves which were originally set apart for wharves and quays should, now that a Harbour Board was formed, be handed over to that Board which was the proper body to have the control of them. He felt strongly of opinion that reserves intended for Harbour Trusts should not be diverted from the original purpose for which they were intended. As far as he had been able to learn, the only argument that was used in favour of handing the reserves over to the Municipal Corporation was this: Because the Harbour Board are going to spend a large amount of money in reclamation and wharf works, these reserves would be so far removed from the harbour that they should belong to the Municipal Corporation. But he held that, if it was the intention of the Harbour Board to expend large sums of money in the way referred to, they were all the more entitled to the proceeds of those lands specially set apart for such purposes. In conclusion, he would express the opinion that the Corporation should consider themselves fortunate in not being called upon to refund some of the moneys they had received from the lands in question. He would support the second reading of the Bill.

The Hon. Captain BAILLIE had but a few remarks to make on this subject. With regard to what had been said about the Committee, he, as a member of the Committee, would explain that the Committee were pretty equally divided on the question. The members were, he believed, four against three; but the question was decided on the voices. Voluminous evidence had been taken, and the Committee had spent a considerable time over it. The Hon. the Speaker (Sir J. L. O. Richardson) had given evidence before the Committee; and he (Captain Baillie) had spoken respecting the conditions on which the Corporation held the reserves, as follows:—

"These conditions are: (a) That the lands

should be held by the said Corporation in trust for the like purposes for which such lands are now held—that is, for public wharves and quays. (b) That, with the sanction of the Superintendent, the Corporation may lease the said land for not exceeding twenty-one years, and (c) apply the rentals in accordance with section 94 of 'The Otago Municipal Corporations Ordinance, 1875:' that is, for Corporation purposes during trusteeship."

The Hon. the Speaker was referring to the time when the Ordinance passed the Provincial Council of Otago; and in the course of the debate which then took place in the Provincial Council on the subject, the Provincial Solicitor said that he would agree to amend the clause, as follows:—

"The lands and hereditaments mentioned and described in the first schedule hereto shall be, and the same are hereby, transferred and vested in the Corporation of the City of Dunedin and its successors as a corporate body, to be held by the said Corporation and its successors in trust for the purposes of public utility, which purposes are severally named and set forth in the said first schedule hereto immediately before the lands to which they respectively apply."

The "purposes of public utility" referred to meant the construction of wharves and quays. The Committee had heard the evidence of the Superintendent of Otago, Mr. Macandrew, and that gentleman thought it would quiet both parties interested if the reserves were given away to some third person. He did not like to commit himself to say what was the exact position of either body.

The Hon. Captain FRASER asked the honorable gentleman to read Mr. Macandrew's evidence, when he would find that he was not correct in what he said. At least, that was his impression.

The Hon. Captain BAILLIE said he believed that Mr. Macandrew did suggest that the reserves should be handed over to some third party. Leaving that, however, he might say that the Bill was introduced into the other House in order to settle doubts which existed in the minds of the members of the Municipal Corporation as to whether they had power to deal with the reserves, and the intention of the promoter of the Bill was to give them that power. But the Bill was changed in the other House in such a way as to deprive the Corporation of that power altogether. He thought, after hearing the arguments which had been brought forward, and the statements made by the honorable gentleman who introduced the Bill into the Council, that the original intention of the trust was that wharves and quays should be constructed out of the proceeds of these reserves. When the reserve was originally made, there was no corporate body in existence; but now that a body had been constituted whose duty it was to supervise the erection of wharves and quays, and generally to attend to the improvement of the harbour, they naturally said, "This reserve was originally set aside for this particular purpose, and why should it not be applied to that pur-

pose?" Reserves set apart for charitable and other objects were usually applied to the purposes for which they were set apart, and he saw no reason why there should be a departure from that principle in this case.

The Hon. Colonel BRETT.—Will the honorable gentleman read Mr. Stout's evidence?

The Hon. Captain BAILLIE said Mr. Stout's evidence was so bulky that it would probably encroach too much upon the patience of the Council to read it. It had, however, already been quoted from, and Mr. Stout had, according to his own view, given a very good idea of the state of the question. He (Mr. Stout) thought the Corporation should have the reserve, but other gentlemen thought differently, and it was no use wearying the Council by producing these opposing statements. A great amount of evidence had been taken, and, as far as he could see, the Harbour Board had the best right to the reserve.

The Hon. Mr. MANTELL said it would probably expedite matters if he said a few words in answer to the arguments advanced against the Bill. He thought the question as to the liability of these lands as security for loans might be regarded as disposed of entirely. They had the evidence of the gentleman who introduced the Bill in another form in another place, which showed that no security could be given either over the land or over the rents accruing from it; and whether it was right of anybody to float a loan upon the security of the reserve, knowing that it was opposed to the law of the colony that these reserves should be hypothecated, was a question which could best be answered by a financier, which he did not profess to be. The interests of the ratepayers had been referred to by the Hon. Captain Fraser, who said that his (Mr. Mantell's) interests would be prejudicially affected by the passing of this measure. The honorable gentleman could not deplore it more than he did, but, even with that prospect in view, he could not consent to the diversion of reserves from their original purposes, no matter what hope there might be of any amount of endowments reducing the rates. There was one other point he wished the Council to be clear upon, and that was that the christening of this reserve took place not during the term of office of Mr. Domett, but at a date far anterior to it. To remove any doubt as to the purposes for which this reserve was set apart, he need only state that the preamble of the Ordinance passed by the Provincial Council of Otago in 1854 distinctly set forth that at the foundation of the settlement of Otago the whole line of the water frontage of the chief town was reserved from sale, and this portion specially set apart for the purposes of wharves and quays. And then the enacting clauses went on to say that the administration of the land included in the water frontages should be invested in a board of trustees; and that all moneys accruing from the lands, after deducting expenses of management, should be applied to the construction and maintenance of public jetties and quays. There could be no doubt about that; and although he laughed at the idea of such an Ord-

nance being passed, it clearly being *ultra vires*, he did not laugh at it as not conveying accurately the impression of the original settlers of Otago in regard to these wharves and quays. It was perfectly right in that respect; and the only object of this Bill was to confirm the application of this property to the purposes for which it was originally set apart. He need not trouble the Council with any further remarks. Had it not been for the contest of opposite claimants, had it been left for decision upon common-sense grounds, six words would have been sufficient to induce the Council to consent to the second reading of the Bill.

* The Hon. Mr. HALL said he was afraid that any remarks he might offer would not throw new light upon the subject. The matter appeared to him to be comprised within a very small compass, but nevertheless he desired to state reasons for the vote he was about to give. It had been stated that the subject should not be dealt with by legislation at all, that it should be settled by a Court of law; and they had been told by his honorable friend Colonel Brett that a lawyer had recommended the adoption of that course. He was not at all surprised at that advice, but the gentleman who recommended that the question should be settled in a Court of law, and who he believed was solicitor to the Corporation of Dunedin, had himself brought in a Bill which proposed that the question should be settled, not by a Court of law, but by Parliament. Therefore he could only conclude that the recommendation that the question should not be settled by Parliament was only arrived at when it became probable that the decision of Parliament would not be altogether favourable to the views of the gentlemen who brought in the Bill. When there was a question of this kind between two public bodies—rather than let them waste the public property in litigation, Parliament should not refuse to step in and remove the doubt. For that reason he should vote for proceeding with the Bill. The history of the case seemed simple. The reserves were originally set apart for the purpose of providing wharves and quays, and the document just read by the Hon. Mr. Mantell threw a great deal of light upon the intention and purposes of the reserves. It showed that they were made with deliberation. The title of the grant was not a mere fancy heading: the document was drawn up deliberately for the purpose of making due provision for wharves and quays, and in order that the proceeds arising from this property should be devoted to the improvement of the harbour. The property was, in the first instance, placed in trust in the hands of the Superintendent, there being at that time no Corporation in the city of Dunedin. Afterwards, when the Corporation was brought into existence, there was no Harbour Board, and it was very properly transferred to the only local body which existed. It was transferred on certain terms and conditions. The extract from the Proceedings of the Provincial Council of Otago, read by the Hon. Mr. Mantell, and the Ordinance which followed, transferred “the lands and hereditaments to the Corporation of the City of Dunedin and its

successors, to be held by the Corporation and its successors in trust for a like purpose for which such lands are now held.” Although the Provincial Council was authorized to divert and alter the purposes for which this reserve was first granted—it might even have set it aside as a site for a theatre if it thought proper—yet it was clear that it had done nothing of the kind. On the contrary, it merely made the Corporation trustee, instead of the Superintendent, to manage the land for the purpose for which it was originally granted; further on the Ordinance provided that all moneys arising from the reserves should be applied and disposed of in the manner provided for in the Otago Ordinance of 1865. He had been unable to get that Ordinance, but he could not conceive that it was intended the proceeds of these reserves should be applied in a manner which would absolutely conflict with the previous clause, which did not give the land to the Corporation, but merely made them trustees. That being the case, he took it that the Corporation merely held the land in trust; and now that a Harbour Board had been created, upon whom it devolved to deal with all harbour questions, that body was perfectly justified in saying, “The time has now arrived when we should be made trustees. We shall make fitter trustees than the Corporation. We are intrusted with the improvement of the harbour, and any profits that may arise from these reserves, should be intrusted to us.” On broad grounds of justice, therefore, he thought they were called upon to pass the Bill as it now stood; and for these reasons, he should have pleasure in supporting it. It had been alleged that this property had already been made the subject of a mortgage. If that were the case, all he could say was that, unless the proceeds had been applied to improving the harbour, the Corporation, he thought, had been guilty of a breach of trust. They might as well mortgage property placed in their hands for educational purposes, and apply the proceeds to the formation of streets. It was given as a trust to be applied to harbour purposes, and they had no right whatever to apply the proceeds to any other purpose. He should support the second reading of the Bill.

Bill read a second time.

EDUCATION BOARDS BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it had been found impossible for the Government, in this session, to mature and bring before the Legislature a complete and comprehensive measure relating to education that would be applicable to the whole colony. The approaching provincial change rendered it necessary to make some temporary provision for carrying on the business of education throughout the colony; and it was with that view that this Bill had been prepared. It had passed through the House of Representatives, where it was introduced by his honorable colleague the Minister of Justice. It proposed to maintain in all respects except one, which he should advert to presently, the systems of education now existing in the several provinces of New

Zealand, and which have been established under Provincial Acts or Ordinances. The machinery necessary to be provided was proposed to be provided in this Bill. In most of the provinces there were Education Boards already in existence. In Hawke's Bay, Marlborough, and Canterbury, no Education Boards at present existed. In Hawke's Bay, the system was a very simple one. The management of education was under the control of the Provincial Government, and was carried on by Committees in the several districts, who placed themselves in communication with the Superintendent of that province. In Marlborough the Road Boards of the several counties and the Municipal Councils were the local School Boards. In Canterbury, until a recent date, there was an Education Board; but at present the administration was of a different character. A Secretary of Education was appointed by the Provincial Government, and local administration was provided for in the various districts. It was proposed, for the purpose of uniformity, that there should be Boards in all the provincial districts; and the Boards of those districts, when required, were nominated and appointed in this Bill. They would hold their office up to the first day of December of next year, before which time it was hoped that a general and comprehensive measure would be introduced into and passed by the Assembly. The principal change which this Bill proposed to make was that of abolishing household and general capitation rates wherever they existed, and retaining the school fees and capitation rates for children wherever they existed. The Government proposed, during the next half-year, from the 1st December to the 30th June, to provide the necessary funds from the land revenue to supplement the school fees or capitation fees. Powers were given to the Boards to deal with reserves made for education in the several districts. They would have a power of dealing with those reserves by leasing them for a period not exceeding twenty-one years, with the consent of the Governor. There was no new principle introduced into the Bill; it simply made provision for carrying on the work of education under the new system of government that would shortly come into operation. With these remarks, he begged to move the second reading of the Bill.

The Hon. Colonel BRETT said he was under the impression that Provincialism was dead and buried to all intents and purposes; but he was sorry to see that Provincialism was now about to come to life again—to spring up like a phoenix from its ashes into positive vigour. He had been always under the impression that Provincialism was the thing of a past day, and that they would never hear of it again. He believed that this defunct animal was becoming decomposed, and would hereafter stink in the nostrils of every one throughout the country. It would be in the recollection of many members of the Council that, at this time last year, a Bill was brought into the Council to carry out very nearly the provisions of clause 5 of this Bill. That Bill was passed through the House of Representatives in a very hasty manner—indeed, he might say, an

indecent manner. It was brought in late in the evening, passed through all its stages, and at two o'clock on the next day it was introduced in the Council. But after a long debate it was, he was happy to say, thrown out by a majority of one vote. He had the honor of being a member of the Provincial Council of Canterbury six or seven years ago, when the Hon. Mr. Hall was also a member, and what he was about to say he had no doubt his honorable friend would substantiate. Mr. Tancred had charge of the schools throughout the Province of Canterbury, having associated with him two other gentlemen. After performing this duty for two years gratuitously, and giving up the whole of his time, he, owing to the increase of schools, was obliged to resign his duties, which had become too onerous. A Board was then substituted. The constitution of the Board was very much opposed in the Provincial Council, and there was a very warm debate on the subject; but the Board was ultimately formed. However, the Board was formed, and it went on for two or three years, when it was found by the Provincial Council that it did not act well, and that its expenditure was lavish, and there was no responsible head. It was then decided that there should be a Minister of Education. That office had been in existence for two or three years; and a Bill was introduced into the Assembly last session for the purpose of turning out that Minister, owing to one or two gentlemen in the other branch of the Legislature having a dislike to him, and solely, he believed, from a feeling of animosity towards that gentleman. In this Bill, there was another attempt to do away with the Minister of Education. He would ask whether it was honorable, just, or fair to bring forward a Bill to abolish that appointment. It might be said that it was absolutely necessary to establish Boards throughout the country; but he would point out that there were departments throughout the colony—the Custom House and the Post Office—having heads who transacted the business of those departments with the General Government. There was no necessity for a Board in those cases; and why should not the Minister of Education in Canterbury transact the business of his department in the same way, and communicate with the General Government? He maintained that the proposed Board was self-constituted, and was a nominated Board, which he thought the Council ought to be very much opposed to. It might be said that this Minister was not a favourite, and was not the right man in the right place; but he was appointed by the Provincial Council, and it would be most indecent and a very discourteous act to remove him from his present position; and that gentleman was doing his work zealously, and devoting all his abilities and time to the carrying out of the duties of his office. It was true he was, with a cast-iron rule, striving to enforce the Education Ordinance, and that was the cause of very great dissatisfaction in Christchurch. For instance, when there were three or four members of a mercantile firm, he ordered them all to pay their rates, whether they lived in England or in the colony. That had given great offence in Christchurch,

where the population consisted of shopkeepers and merchants; but in the outlying districts the Minister of Education was liked very much, and it was found that education in those districts was conducted more satisfactorily, and with less expense, than had formerly been the case under the Board. The members of the Board in former days were most lavish in their expenditure. In Gloucester Street, they erected a school to accommodate 800 scholars, for the enormous sum of £12,000, and the salaries of the staff of teachers amounted to £2,400 a year. Then, in the east of Christchurch, they built a school at an expenditure of £20,000. He believed it was called a Normal School, and it was intended for the instruction of teachers for the schools throughout Canterbury. There were ninety schools in the province, and let them say 10 per cent. of the total number of teachers would be required to fill up vacancies during the year, that would give perhaps nine or ten teachers a year who would be required. Was not such an expenditure disgraceful? The Normal School was a gigantic building. It more resembled a palace or an hospital in the great metropolis of London than a school. He considered it was, of course, necessary to have an Education Bill, but he would have put it into one clause, to this effect:—

"All Acts and Ordinances of any Provincial Legislature, relating to educational matters, shall, so far as the same are not expressly or impliedly altered or repealed by this Act, remain in force within the provincial district to which they relate, and shall be read with and incorporated with this Act."

Why should they disturb the Boards of Education throughout the different provinces? They were all working very well. Why disturb the existing Canterbury system, and put in its place this self-constituted Board? Were they all fit men to place upon an Education Board? He allowed that there were three or four very good men; but with the exception of two who were Presbyterians, they were all Episcopalians. That was what was called secular education—free education. In the former Board, nine out of ten of the members, with the Inspectors of the Schools, were Episcopalians. One of the members was a Roman Catholic gentleman, who sat on the bench in India. He objected to the school books, on the ground that they tended too much towards the Protestant religion; and the other members then made his seat so hot for him that he was obliged to resign. Amongst the gentlemen composing the proposed Board there was not one of special capacity. There were several very well qualified gentlemen in Canterbury. There was the Dean of Christchurch, who was one of the most eminent men and best scholars who left England for the colony. Then there were Mr. Veal, and a number of other gentlemen. He also thought that one of the Professors of the College or the High School should be appointed to the Board, instead of shopkeepers and men of that kind. In former days there were men on the Education Board who could not speak English, who dropped their "N's," and took indecent

liberties with the genders. It was monstrous that this system should still exist. He only hoped that when the Bill was in Committee the portion referring to Canterbury would be struck out. He hoped the members of the Council who supported abolition would support his opposition to this Bill, because it was only bringing in Provincialism again for the time being.

* The Hon. Mr. HALL said his honorable friend rather surprised him when he asked honorable members who supported abolition to support him in this matter, seeing that his present action was undisguised Provincialism. What were the facts of this case? The honorable member seemed to be afraid this Bill would supersede the head of the Education Department in the Province of Canterbury. That gentleman was the political head of the department, and was called Minister of Education. He was one of the Provincial Executive who came in or went out of office according as the Provincial Council gave or withheld its support. They all knew that under the Abolition Act, at the close of the present session, Provincial Executives would come to an end, the Superintendents would come to an end also, the Provincial Secretary's place would know him no more, the place of the Secretary for Public Works would know him no more, and in like manner the place of the Minister of Education would know him no more. It was not this Bill, but the Abolition of Provinces Act, that would put an end to this office. He thought his honorable friend Colonel Brett had overlooked that fact. The abolition of the Provincial Government necessarily abolished the office of Minister of Education; and he took it that Parliament, when the Canterbury Minister for Education was done away with, must provide some other body to administer the work. He hoped, therefore, that the Hon. Colonel Brett would dismiss from his mind the idea that this Bill was a blow aimed at the gentleman referred to. He did not wish to introduce Canterbury differences to the Council; but he must set his honorable friend right with reference to the statement that the attempt made last year to pass through Parliament a Bill establishing a Board of Education in Canterbury originated in a feeling of personal hostility towards this particular gentleman. He assured his honorable friend that he was mistaken. It originated in this way: In the opinion of a great many persons interested in Canterbury, this system of having a department managed by a Minister of Education, instead of a Board of Education, did not work well; and as the Provincial Council was not allowed to meet, and could not bring about an alteration of the system and restore the Board, it was desirable it should be done by Parliament. There certainly was an opinion that the new system had failed; but there was no feeling of personal dislike to the individual. His honorable friend had accused the late Board of extravagance in buildings and in management. It was quite true that very large sums of money had been spent upon educational buildings in Canterbury—not so much, he thought, as his honorable friend had stated;

but if anybody was responsible for that, it was the Provincial Council, which had appropriated its large revenues very liberally indeed for purposes of education. He thought great credit was due to the Provincial Council of Canterbury for having made very liberal provision for education; and if it had erred on the side of liberality, that was on the safe side, and it was an error which would not redound to its discredit when the history of the province was written. With regard to the proposed constitution of the Board, if his honorable friend would raise that question when the Bill was in Committee, he would be ready to meet him.

The Hon. Mr. MENZIES said it was clear enough that the object of the Bill was simply to provide machinery to carry out the educational departments in the various provinces until further provision was made, which he hoped would be made in the course of next session of Parliament, for some uniform system for the colony. But as the honorable gentleman who had just sat down remarked, as soon as the Abolition Act came into operation all the provincial administration must fall to the ground, and the educational departments in the various provinces would be in a state of anarchy, unless some provision of this kind for supervising the administration were made. It was in that light only that he regarded the Bill. If it were to be regarded as a permanent measure, or likely to continue for some time, it would be a most unsatisfactory one; but it simply kept the department going all over the colony until further provision was made. Looking at it in that light, he wished to put it to his honorable friend the Colonial Secretary, whether it would not be an improvement in the Bill to state specifically that, unless repealed before, it should cease to operate at the end of 1877. The 5th clause stated that there should be in every district a Board constituted "as herein provided," and such Board should hold office until the 31st October, 1877. He was not quite certain that would necessarily determine the administration of this measure, for he found that very clause seemed to conflict with a provision in the 6th clause. It was said that such a Board should be a body corporate, and further on that it should have perpetual succession, and provision was made in another place for the filling up of vacancies. Perhaps, on the whole, it would be less ambiguous to have an initial clause, stating distinctly that the Act should cease to have effect on a certain day.

* The Hon. Mr. BONAR said that, seeing this Bill, as had been pointed out by the last speaker, was only to carry on the existing Education Boards, and make temporary provision until next year, he did not think it was one as to which they need enter upon any lengthy discussion. In some provinces, no doubt this was required. In regard to the Province of Westland, the Bill would practically make little difference there, as the Board was entirely removed from anything like political government, and would continue to carry on in the same way as before. The special point alluded to by the Colonial Secretary was one which he would rather have seen attempted in another direction. He would have preferred

very much to allow the capitation rate to remain, and abolish the school fees and taxes upon children. That, he thought, would have been fair; but seeing that the matter was only for another year, when, he supposed, they might with confidence look for the introduction of a general measure applicable to the whole colony, he did not think it was worth while occupying the time of the Council by discussing the subject. Probably in Committee he would ask the Colonial Secretary to insert an additional proviso in connection with the question of reserves, some questions of a purely technical character having arisen in reference to the administration of an educational reserve which was now being very largely occupied by gold miners for mining.

* The Hon. Dr. POLLEN was glad to observe that there was a general acceptance of the Bill. His honorable friend Mr. Hall had, he hoped, satisfied the Hon. Colonel Brett that it was impossible to maintain the existing condition of affairs in Canterbury, for the reason that the Abolition Act came into force on the day next after the last day of the present session, when the Minister of Education in the Province of Canterbury would be divested of his authority. Supposing it were possible for him to remain, he (Dr. Pollen) was not sure whether his honorable friend himself would be disposed to intrust to his sole guidance, without any control whatever, the administration of the valuable educational reserves in the Province of Canterbury, and the entire charge of education in that province. That officer was at present a responsible Minister, and responsible to the Provincial Council. When the Council was abolished there would be nobody but him, and he would, to all intents and purposes, be practically irresponsible. That was a condition of affairs which his honorable and gallant friend, he was sure, would not view with satisfaction. With respect to the observations made by the Hon. Mr. Menzies, he thought the matter might very well be left as it stood. There was a positive purpose on the part of the Government that in the recess, and before next session, a general measure of education should be prepared, for introduction next session. They would be binding the Assembly in the future if they declared that at a particular time the nominated Boards should cease. There were certain functions of trust imposed upon these Boards, and, no doubt, in the future the administration of education would be carried on by Boards of some kind or another, which would be held to be in a line of descent, so to say, and the trusts imposed upon them would pass from one to the other.

Bill read a second time.

PORT MOLYNEUX RESERVES LEASING BILL.

This Bill was considered in Committee.

Clause 2.—The Board may lease.

The Hon. Mr. BONAR moved that this clause be omitted.

Question put, "That this clause stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	10
Noes	...	...	...	9
Majority for	...	...	...	1

AYES.

Colonel Brett,	Mr. Menzies,
Dr. Grace,	Mr. Nurse,
Mr. Hall,	Mr. Paterson,
Mr. Hart,	Mr. Pharazyn,
Mr. Lehmann,	Major Richmond, O.B.

NOES.

Captain Baillie,	Mr. Mantell,
Mr. Bonar,	Dr. Pollen,
Mr. Chamberlain,	Mr. Robinson,
Mr. Edwards,	Mr. Stokes.
Captain Fraser,	

The amendment was consequently negatived, and the clause as amended agreed to.

Bill reported with amendments, which were ordered to be considered next sitting day.

The Council adjourned at ten minutes past ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 6th October, 1876.

Kaukapaka Telegraph—Grain Storage, Canterbury—
Counties Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

KAUKAPAKA TELEGRAPH.

Mr. SHEEHAN asked the Postmaster-General, Whether the Government will give effect to the prayer of the petition of the settlers of Kaukapaka, in reference to opening a telegraph station in that settlement? He stated that the petition referred to was considered by the Public Petitions Committee, and by them referred for further consideration to the Government. The petitioners were willing to grant a site free of charge for the purpose of erecting a station at Kaukapaka; and as the settlement was becoming a very important settlement, it was desirable that they should have a telegraph station.

Mr. WHITAKER said he had made inquiry as to the cost of constructing the line and erecting a station, and he found that the cost of the station would be £450, and the annual cost of maintenance £150, and probably the amount which would be derived from it would not be more than £50 a year. Under these circumstances, he was not prepared to say that a telegraph station would be erected at Kaukapaka.

GRAIN STORAGE, CANTERBURY.

Mr. BOLLSTON asked the Minister for Public Works, Whether the Government propose to make provision for further storage ac-

commodation for grain in the Province of Canterbury; and, if not, whether it will give facilities for the erection of stores by private enterprise at the several railway stations, and will give public notice of the terms on which such facilities will be given? He put the question in order to enable the Government to state plainly what course they proposed to take with regard to furnishing accommodation for storing grain in the Province of Canterbury. For three months in the year there was very great pressure, and the Provincial Government had, up to the present time, provided a large amount of accommodation; but the question had arisen as to whether it was the duty of the Railway Department to provide storage. If it was not, then no doubt private enterprise would supply the want. His object was to obtain from the Government a declaration which no doubt would be made known throughout the country by means of *Hazard* and the telegraph, and people would then make their arrangements accordingly.

Mr. RICHARDSON said the question was without doubt a very important one, and one to which the Government had given a great deal of attention. It was unquestionable that very much greater storage accommodation was required during the grain season in Canterbury; but the Government considered that the railways were made for the purpose of carrying only, and that the department should have nothing whatever to do with storage. The Government therefore did not feel called upon to provide storage accommodation for the farmers and merchants of the province. The Engineer-in-Chief reported that, with the exception of providing accommodation at the smaller stations which would be erected as the lines were extended, it would not be advisable to provide any increased storage accommodation. The only further accommodation which would be provided would be a large shed on the Gladstone Pier. With regard to the Canterbury railways, the opinion of the Engineer-in-Chief, in which the Government entirely coincided, had been communicated to the Canterbury railway authorities: that opinion being to the effect that every facility should be given for the erection of stores by private enterprise on the sidings at the railway stations. It was proposed that ground should be let at a nominal rent for this purpose, the right being reserved to the Government to remove the sheds from one part of the station to another without giving compensation, should the extension of the station arrangements require it. It was thought that the plan he mentioned would be the best and cheapest for providing the necessary accommodation for storing grain.

COUNTIES BILL.

The House went into Committee on this Bill. Clause 49.—Qualification of Chairman.

Mr. WHITAKER moved the addition of the following proviso: "Provided that at the first election any person qualified to be a member of the House of Representatives shall be qualified to be elected Chairman."

On the motion of Mr. MONTGOMERY, the

words "at the first election" were struck out of the amendment.

Question put, "That the proviso as amended be added to the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	29
Majority against	...	...	...	...	1

AYES.

Mr. Barff,
Mr. J. C. Brown,
Mr. Bunney,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Sir G. Grey,
Mr. Henry,
Mr. Hunter,
Mr. Kennedy,
Mr. Larnach,
Mr. Montgomery,
Mr. Moorhouse,
Captain Morris,
Mr. Murray,

Mr. Nahe,
Mr. Rolleston,
Mr. Rowe,
Mr. Sheehan,
Mr. Stout,
Mr. Thomson,
Mr. Tole,
Mr. Tribe,
Mr. Whitaker,
Mr. R. G. Wood,
Mr. Woolcock.

Tellers.

Mr. Button,
Mr. Manders.

NOES.

Mr. Andrew,
Mr. Baigent,
Mr. Ballance,
Mr. Bryce,
Sir R. Douglas,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Harper,
Mr. Hursthouse,
Mr. Joyce,
Mr. Kelly,
Captain Kenny,
Mr. Lumsden,
Mr. Macfarlane,
Mr. G. McLean,

Mr. Murray-Aynsley,
Mr. Ormond,
Mr. Pyke,
Mr. Reynolds,
Mr. Richardson,
Mr. Seaton,
Mr. Stafford,
Mr. Stevens,
Mr. Swanson,
Mr. Teschemaker,
Mr. Wason,
Mr. W. Wood.

Tellers.

Mr. Fisher,
Mr. Reid.

The proviso was consequently negatived, and the clause agreed to.

Thames County.

Sir G. GREY moved, That the following be the boundaries of the Thames County: "towards the north by the southern boundary of the Coromandel County, hereinbefore defined; towards the east by the ocean; on the west by the ocean to the mouth of the Piako River, thence to Pukorokoro, thence by a due west line to the summit of the ridge which forms the eastern watershed of the River Piako; on the south by that ridge to the sources of the Piako, from thence by a straight line to the summit of the Te Aroha Mountain, and from thence by a straight line to Waihi, on the sea-coast."

Question put, "That these boundaries be the boundaries of Thames County;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	26
Majority against	...	...	...	...	1

AYES.

Mr. Baigent,
Mr. Barff,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Hislop,
Mr. Johnston,
Mr. Joyce,
Mr. Larnach,
Mr. Montgomery,
Mr. Nahe,

Mr. Reynolds,
Mr. Seaton,
Mr. Stafford,
Mr. Stout,
Mr. Swanson,
Mr. Takamoana,
Mr. Tole,
Mr. R. G. Wood,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Rees,
Mr. Rowo.

NOES.

Major Atkinson,
Mr. Ballance,
Mr. Bowen,
Mr. Bryce,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Henry,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Kennedy,
Captain Kenny,
Mr. Manders,

Mr. G. McLean,
Captain Morris,
Mr. Ormond,
Mr. Reid,
Mr. Richardson,
Mr. Richmond,
Mr. Stevens,
Mr. Tawiti,
Mr. Wason,
Mr. Whitaker.

Tellers.

Sir R. Douglas,
Mr. Murray.

PAIRS.

For.

Mr. J. C. Brown,
Mr. Hodgkinson,
Mr. Lusk,
Mr. Macandrew,
Mr. Sharp,
Mr. Sheehan,
Mr. Shrimski,
Mr. Wakefield.

Against.

Mr. Pyke,
Mr. Williams,
Captain Russell,
Mr. Seymour,
Mr. Teschemaker,
Mr. Cox,
Sir D. McLean,
Mr. Curtis.

The motion was consequently negatived, and the words were struck out.

Mr. STOUT moved, That the Chairman report progress, and ask leave to sit again.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	36
Majority against	...	...	...	...	12

AYES.

Mr. Baigent,
Mr. Barff,
Mr. Burns,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Henry,
Mr. Hodgkinson,
Mr. Joyce,
Mr. Larnach,
Captain Morris,
Mr. Nahe,
Mr. Rees,

Mr. Reynolds,
Mr. Rowe,
Mr. Seaton,
Mr. Sheehan,
Mr. Swanson,
Mr. Takamoana,
Mr. Tole,
Mr. R. G. Wood,
Mr. W. Wood.

Tellers.

Mr. De Lautour,
Mr. Stout.

NOES.

Major Atkinson,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray,
Mr. Bowen,	Mr. Murray-Aynsley,
Mr. Brandon,	Mr. Ormond,
Mr. Bryce,	Mr. Pearce,
Mr. Button,	Mr. Reid,
Mr. Curtis,	Mr. Richardson,
Sir R. Douglas,	Mr. Rolleston,
Mr. Gibbs,	Mr. Sharp,
Mr. Hamlin,	Mr. Stafford,
Mr. Harper,	Mr. Stevens,
Mr. Hunter,	Mr. Tawiti,
Mr. Hursthouse,	Mr. Wason,
Mr. Johnston,	Mr. Whitaker,
Mr. Kelly,	Mr. Woolcock.
Captain Kenny,	
Mr. Lumsden,	<i>Tellers.</i>
Mr. Manders,	Mr. Fitzroy,
Mr. G. McLean,	Mr. Richmond.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. C. Brown,	Mr. Pyke,
Mr. Lusk,	Captain Russell,
Mr. Macandrew,	Mr. Seymour,
Mr. Shrimski.	Sir D. McLean.

The motion was consequently negatived.

Thames county.

Mr. MURRAY moved, That the following be the boundaries of the Thames County:—"Is bounded towards the north by the southern boundaries of the Coromandel County, hereinbefore defined; towards the east by the ocean; towards the south by a line from Ngakuriawhare to the summit of the Aroha Mountain, being the northern boundary of the Tauranga Confiscated District, by the production of that line to the Thames (Waikou) River; and towards the west by the centre of that river and by the Frith of Thames to the commencing point."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	29
Majority against	...	...	...	...	1

AYES.

Major Atkinson,	Mr. Murray,
Mr. Ballance,	Mr. Murray-Aynsley,
Mr. Bowen,	Mr. Ormond,
Mr. Brandon,	Mr. Pearce,
Mr. Bryce,	Mr. Reid,
Sir R. Douglas,	Mr. Richardson,
Mr. Fitzroy,	Mr. Richmond,
Mr. Gibbs,	Mr. Stevens,
Mr. Harper,	Mr. Tawiti,
Mr. Henry,	Mr. Wason,
Mr. Hunter,	Mr. Whitaker.
Mr. Hursthouse,	
Mr. Kelly,	<i>Tellers.</i>
Captain Kenny,	Mr. Hamlin,
Mr. Manders,	Captain Morris.
Mr. G. McLean,	

NOES.

Mr. Baigent,	Mr. Nahe,
Mr. Barff,	Mr. Reece,
Mr. Brandon,	Mr. Reynolds,
Mr. Burns,	Mr. Seaton,
Mr. De Lautour,	Mr. Stafford,
Mr. Dignan,	Mr. Stout,
Mr. Fisher,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hislop,	Mr. Tole,
Mr. Hodgkinson,	Mr. R. G. Wood,
Mr. Johnston,	Mr. W. Wood,
Mr. Joyce,	Mr. Woolcock.
Mr. Larnach,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Rowe,
Mr. Montgomery,	Mr. Sheehan.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. C. Brown,	Mr. Pyke,
Mr. Hodgkinson,	Mr. Williams,
Mr. Lusk,	Captain Russell,
Mr. Macandrew,	Mr. Seymour,
Mr. Sharp,	Mr. Teschemaker,
Mr. Sheehan,	Mr. Cox,
Mr. Shrimski,	Sir D. McLean,
Mr. Wakefield.	Mr. Curtis.

The motion was consequently negatived.

Bill reported to the House with amendments, which were agreed to.

Mr. WHITAKER.—I move, That the Bill be now read a third time.

Mr. BARFF.—Before that question is put, Sir, I wish simply to say that, in my opinion, the Bill is at the present time in a very unworkable form; and I would say, further, that had it not been for the assistance of the honorable member for the Thames, Sir George Grey, and the honorable member for Auckland City East, in the pains they have taken in proposing amendments when the Bill was passing through its various stages, the Bill would be more unworkable even than it is now. I make these remarks because the Government are, as it were, on their trial. They have had an opportunity such as they may never have again of introducing a form of local self-government that might redound to their own credit and for the benefit of the colony. That chance is, I fear, passing away; and I am sure that the Bill, as it at present stands, will not be found to be a great success. If this measure is ever to be a success, it will have to be a success at the outset. A very small amount of unpopularity at the commencement of the system may lead to a very wide-spread feeling of dissatisfaction on the part of the electors generally. The Government and some of their supporters may be of opinion, as they probably are, that if they can pass through any measure in any form during this session, they will have an opportunity of amending it next session; but I hold a different opinion. I say, Sir, that the people of New Zealand will decide as a body as to the merits of the measure between this session and the next; and they will decide whether the system is capable of amendment. Now, if the measure is to be a success, I say it will have

to be put in a very different form from that which it is in at the present time; and I say, in regard to one particular principle of the Bill, that it is very likely that in some parts of the colony—I am not in a position to state what portions—the position of Chairman may be placed in the hands of persons totally inexperienced in all matters of administration. I say nothing can be more fatal to the success of a measure of local self-government than that such a thing as that should occur. People look not so much to the nature of the law as to its administration. They generally look to the administration to guide them as to whether a measure is good or not in principle; and I fear that, if this Bill is put into operation in its present form, the Government will not have an opportunity of amending it next session, as they now anticipate being able to do. I have been an Abolitionist for many years; and it was with great regret that I found myself in the unfortunate position during the last few days of having to go into the lobby opposite to the Government in connection with these matters. Ever since the second reading was proposed, I have held, as I then pointed out to the House and to the Government, that the measure did not meet with my approval, but I would do my best to reduce it to a workable form. I fear that the efforts of the House have not tended in that direction; and although I fear that the measure is not in a workable form, still I will hope against hope; and I trust that, although the measure does not at present meet with my approval, it may work out a better destiny than I at the present time see for it. It is most desirable that the people should have local self-government; yet the people of that government should be better than that which is proposed to be given to them in the measure now under consideration.

Mr. STOUT.—Sir, I beg to move the adjournment of the debate, in order that the House may see, in the amended Bill as printed, what the amendments which have been made really are. You, Sir, have put the question that the Bill be read a third time; and I think the best thing to do is to adjourn the debate, in order that the various amendments which have been made may be fully known to honorable members, before the Bill is read a third time. I think that will be a proper course to adopt, for this reason: It is not wise that this House should pass an important constitutional measure such as this, without each member seeing the amendments made in the Bill. I believe that scarcely half a dozen in the House know what amendments have been made in Committee. Therefore I think the proper course would be to adjourn the third reading until Monday. The Government can then bring down the Bill in its amended form, have it read a third time, and send it to the Legislative Council the same day. No time could possibly be lost, because the Bill cannot be sent to the Legislative Council to-night. I therefore move, That the debate be adjourned.

Question put, "That the debate be now adjourned;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	29
Majority against ...					11

AYES.

Mr. Baigent,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Sir G. Grey,
Mr. Hodgkinson,
Mr. Joyce,
Captain Kenny,
Mr. Nahe,
Mr. O'Rorke,

Mr. Rees,
Mr. Reid,
Mr. Rowe,
Mr. Swanson,
Mr. Takamoana,
Mr. Tole.

Tellers.

Mr. Barff,
Mr. Stout.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. Brandon,
Mr. Button,
Mr. Curtis,
Sir R. Douglas,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kennedy,
Mr. Lumsden,
Mr. Mandere,
Mr. G. McLean,

Mr. Montgomery,
Captain Morris,
Mr. Murray-Aynsley,
Mr. Ormond,
Mr. Richardson,
Mr. Rolleston,
Mr. Sharp,
Mr. Stafford,
Mr. Tawiti,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Bryce,
Mr. Moorhouse.

The motion for the adjournment of the debate was consequently negatived.

Mr. DE LAUTOUR.—I will not detain the House many minutes. I wish to state that, although I have taken no part while this Bill has been in Committee in opposing it in any shape or form, yet my refraining from doing so has not been by any means a consent to the County system as embodied in this Bill. I wish also to state that I think it is a great pity that the Government did not see their way to assent to the amendment moved by the honorable member for Taieri in Committee the other night. I think that if they had done so, they would have enabled myself and other members from Otago, and the people of Otago, to accept the Counties Bill. I fear that in neglecting to take that wise course, which would really have carried out their views—because it would have made the people participants in the Act for the formation of a new system of local self-government—they have raised what they little dreamed of, and that which their power will never be able to allay. I much regret the action of the Government in that respect, and I only rise to state that, for my part, as representing a constituency, my action in ceasing to oppose the Counties Bill after it passed the second reading is by no means to be taken as a consent to the Bill.

Mr. HODGKINSON.—I wish to say a few words by way of protest against the third reading of the Bill. I need not say anything in condemnation of it, inasmuch as one of the most ardent supporters of the Government, the honorable member for Hokitika (Mr. Barff), has made a speech

which shows how easy it is for ignorance, folly, and presumption to pull down, and how hard it is to reconstruct. I will not say how hard it is for wisdom to reconstruct, because, in my opinion, there is no wisdom on the Government benches. I do not intend to take up the time of the House. I need only say that I thoroughly indorse all that the honorable member for Hokitika has said; but I do not feel the anxiety he does, because I think it will be a righteous retribution upon those who helped to pull down the old Constitution, while the Government they looked to is utterly incapable of putting anything suitable in place of that Constitution. I may also say, in passing, that I believe this new system of counties, which is supposed to take the place of the old Constitution, will never work; and also that I do not yet admit that the old Constitution is gone, inasmuch as I have a firm conviction—and, if no one else undertakes to prove it, I will myself endeavour to do so when the proper time comes—that this Abolition Act is utterly illegal and *ultra vires*, notwithstanding what has been said by the late Attorney-General. I think it must be in the recollection of the House that, within a very short time, that gentleman has given very confident opinions, which he has had to retract by actions, if not by words; and I have no doubt that, before twelve months have elapsed, we shall find the honorable gentleman going to the Imperial Parliament for a Validation Act with regard to abolition.

Mr. REES.—In opening the remarks I have to make upon this Bill, I think honorable members of the Ministry ought to see that it is impossible to argue upon the third reading of this Bill without having the Bill before us. There have been so many alterations in this measure itself, and in the schedules, in the provisions of the Bill, and in its principles, that I think the proposition suggested by the honorable and learned member for Dunedin City is but a reasonable one—namely, that the Bill as amended should have been circulated and in the hands of members prior to the third reading. This Counties Bill is the most important of the constitutional measures which the Government propose to take the place of the old provincial system. There are the Counties Bill, the Financial Arrangements Bill, and one or two other laws by which they propose to fill up the vacuum caused in our Constitution by the destruction of the provinces; and of all those measures the Counties Bill is the most important; and now after passing it through Committee, after having amended it in very many respects, after it has been reported to you, sir, and through you to the House, the third reading is moved without the House having an opportunity of knowing what the amendments are. Sir, I do not suppose that any single member of the House is aware of the amendments that have been made. I do not think there is a single member of the House who could now take up the Bill as it was first printed and point out where amendments have been made, and especially in the schedules, without having those amendments before him. In relation to the Bill itself, I need not say that I shall oppose the third reading on the

same principle on which I opposed the second reading. I object altogether to the Bill because it pretends to provide—I use the word “pretends” in its proper sense, as a mere pretence—it pretends to provide the substitute for the old provincial form of government by which what is called local self-government is to be given to the people. This Counties Bill provides no self-government whatever. It is not self-government to have the control of rating, or the power of making roads and bridges. If that be self-government, all the colony need have would be power to rate itself for the making of roads and bridges. Government is a very different thing from that. To put such a Bill as this into law as providing a substitute for the old provincial system, which was, at all events, a species of self-government, and the only argument against which was that it was not distributed enough, as it were, in the different localities—I say, to put a Bill like this in its place seems to me nothing more than a mockery. The honorable member for Hokitika, Mr. Barff—and I am sorry there are not some other honorable members who are ready to take the same independent position he took—alluded to the efforts made by the honorable member for the Thames, Sir G. Grey, for the purpose of improving this Bill; and I was rather surprised to see on the faces of one or two honorable members a sort of laugh in relation to that statement. Honorable gentlemen who are here present in this House will remember that the whole of the amendments, or nearly the whole of the amendments which have been made in this Bill while it was going through Committee, were suggested by the honorable member for the Thames. I myself had the honor to point out one or two in clauses which could not have been worked by any possibility without amendment; but all the amendments which the Government supporters or the Government themselves introduced amount to a mere nothing, whereas anything that has tended to make the Bill workable, and to make the sections sensible, has originated with the honorable member for the Thames. He has been accused of taking up time unnecessarily, of delaying the business of the country, and of raising factious objections; and yet, in very many instances, his suggestions have been attended to by the Government, and those suggestions have been incorporated in the Bill. And yet all the thanks he gets is that he is accused of taking up the time of the House; and when it is said that improvements are owing to him, honorable members are inclined to smile. I have not heard from any members of the Committee any efforts really to amend the Bill, except those made by the honorable gentleman and one or two other persons. As it stands now, the Bill is unworkable, and it will be found that several of the sections cannot be made sense of as read with other laws—that they will not work and cannot work. I myself saw one or two; but I got called to order so often in Committee for insisting upon amendments, and was so frequently told that I did not know what I was speaking about,—although the honorable member in charge of the Bill agreed that his clauses were wrong and made amendments in them,—that I

got rather tired of making suggestions, and trying to make the Bill workable when it became law. The only reward I got was outcries of "Question, question," and honorable gentlemen getting up and saying "Any person could understand the section," and that I was only delaying the business of the country. I need merely point to the 62nd section, which literally provided that the County Council, after passing certain resolutions under the 12th section, should simply act as a distributing body amongst the road districts and outlying districts; when all the time it was very obvious that there was no machinery for those districts to receive or spend any money. When I pointed that out, the honorable member for the Thames (Mr. Rowe) and also the honorable and gallant member for Marsden got up and said that anybody could understand the section, that it was perfectly intelligible, and that I was only obstructing the Committee. Even now, although the Postmaster-General has added certain words to the section which do not appear in the copies of the Bill which members now have in their possession—namely, that certain persons should be appointed to spend the money in the outlying districts—that addition will not make the section workable. I say that if the people once pass a resolution under the 12th section, they will not take any trouble in the matter, because by that resolution the Act will not come into force in their district. Some of my suggestions have, I think, been good suggestions, and I have heard no good arguments against them; and yet they were passed by without any notice in the Committee. All I have to say now is, that any amendments which would make this Bill workable sprung from the honorable member for the Thames; and I myself have done what I could in good faith to find out the faults in the Bill, and point them out in order that the Committee might if possible make it a workable measure. But I disagree with the principle altogether. It does not give local self-government in any sense, shape, or form. The Municipal Corporations Act gives far more local self-government than this Bill, and it has been in force for many years. The Road Boards have quite as much local self-government as this Bill gives, and they have been in existence for a great many years. All the difference between the County Councils and the Road Boards at present in existence is that they have larger powers of borrowing, of levying rates, of taking charge of public libraries, charitable institutions, and places of public recreation; and that is all. There is nothing more than that. I would ask, is that giving real local self-government to the people? That is not what the people want. We have heard a great deal about the outlying districts requiring real local self-government. Why, Sir, the outlying districts have nothing of that kind provided in this Bill. There is nothing at all for them here. There is, indeed, a provision that they may bring themselves under Road Boards; but they always had that power. They could have constituted themselves road districts long before this Bill was thought of. Therefore this measure proposes no machinery for the outlying districts by which the principles of local self-government

can be carried out there. After all the talk about outlying districts being cared for, and having their wants supplied and their wishes and desires attended to, there is not a word in this Bill which provides for the outlying districts anything more than they ever had before under the laws now in existence. I want to know, therefore, what the merit of this Bill is; what we have been spending so much time about on this Bill, if this is all that is to take the place of the old Provincial Legislatures? If it attempted to provide for the outlying districts, and, in fact, for all the districts of the colony as it ought to do, powers by which the people could govern themselves in reality, then there would be something to say in its favour. If it extended powers to the Provincial Councils, by which the people through their representatives could rule themselves, as they do in the Cantons of Switzerland and in parts of the States of America, and as they did, indeed, under the old provincial system, then something might be said in its favour. But there is nothing of that sort here. After all the time which we have devoted to the measure, it simply comes to this: that New Zealand is split up into different parts, called counties, which have the power of levying rates in their districts to make roads and bridges. And they have this further responsibility which the people have never yet had: that this House can compel them to levy rates to make such roads and bridges as the House pleases—that is, that this House or the Governor can fix upon certain roads and bridges to be made, and can then compel the people to tax themselves to make them. That is not a very great privilege. I very much doubt if the people will thank their representatives for that. We may be sure that as time goes on they will ask what benefits have been given to them under this Bill, what burdens they will get relieved from which were cast upon them by the old provincial institutions. I am sure there is not a member of this House who can say that any benefit will be conferred upon them by this Bill, or that they will be relieved from any of the burdens that they were called upon to bear under the old provincial system. I say I entirely object to the principle of the Bill, and I do not like it to pass the third reading without stating my objections to the principles upon which it is framed, and to the provisions which it makes. We have seen this session measures repealed which were passed with great acclamation in previous sessions, and I say that in some future session we shall see this measure repealed in the same way as we have seen the Forests Act repealed. That was the measure of which this present Bill is the outcome. There was a great flourish about the introduction of that measure. That was a measure which was to advance the country in material power in every sense, to confer a lasting benefit upon the people, to pay our debt; and yet only two days ago we saw it repealed. Although the Government, strong as their hold is upon their followers, went into the lobby to preserve part of it, as I did also, still a majority of 2 to 1 were in favour of repealing it altogether. It was looked upon as a sham

—it was looked upon as a piece of deception—it was looked upon as a false principle—it was looked upon as inexpedient in the interests of the country, and looked upon as a gross mistake in ever having been passed by this House at all. That was the Bill which was to do such very great things for the country, and, as has been very happily suggested to me, which was, in addition to everything else, to pay off the whole debt of New Zealand. Here we have a Bill which does not profess to do that: it only professes to tax the people, and put other increasing burdens upon them. Let honorable gentlemen look at this Bill. Here we have sixty different counties. This is doing away with Provincialism with a vengeance. It does not do away with provincial districts; it does not do away with all the burdens of Provincialism. Under the Abolition Act, it still keeps in every province or provincial district the expenditure of provincial funds, and the exercise of provincial powers not by the elected Superintendents of the people, but by the Governor or persons appointed by him. It keeps everything which might be called oppressive under the Constitution Act and under provincial existence in New Zealand. But this Bill improves upon it. It says that there shall be sixty-five, or at any rate between sixty and seventy—I do not know the exact number of County Councils; sixty-five County Chairmen paid out of the county funds; sixty-five County Treasurers, to be paid out of the county funds; the travelling expenses of about 600 gentlemen, who will be members of the County Councils, to be paid out of the pockets of the people. This Bill, in fact, is an overburdening of debt and of expenditure upon the people. And what for? Simply to enable them to build a few bridges and make a few roads; and when they refuse to put their hands in their own pockets to expend a very great amount of money, then this House is to step in and order them to do it, and compel them to raise funds in order to pay for those works. Why, I am astonished at members of this House voting for such a thing. They have a sort of abolition on the brain. The whole country too, during the last year, had a species of abolition on the brain. This was got up by two or three continually crying out, by the expenditure of public money, and by the Government being strong enough and borrowing millions to corrupt the whole country. It is just the same as if in Great Britain about £1,000,000,000 had been spent; and that would not be so much in comparison as if the Ministry of the day had that within a few years at its disposal. The Government had all the gifts of office in their power, with all the enormous bribes that could be offered to municipalities, to districts, to counties, as well as to individuals. Then the provinces stood in the way of this tremendous corrupting power of the Government; and so the provinces were doomed to go, in order that the Government might be able to bribe, and the people able to receive bribes. So the provinces were doomed, and this abolition crept up. Why, the gentlemen who talk in this House about abolition, and who come here pledged to abolition,

do not know what it means. They have never thought about it. They have never reasoned the thing out in their own minds. They have never gone to work to see what institutions they are doing away with, and what they intend to put in their place. They have heard the cry for abolition—that the provinces were in the way—so they have come here elected to vote for abolition, though they cannot tell you why. I could point out plenty of members in this House who could not give a single reason why abolition should take effect. I would undertake to argue the question out with any honorable gentleman in this House or any half-dozen, before any dispassionate umpire, and in an hour I would show that they do not know anything about the subject they talk on. If any half-dozen gentlemen choose to take up my challenge outside of the House, I am perfectly prepared. They come up simply pledged to their constituents to vote for abolition. Surely that is but a poor foundation for the alteration of the whole Constitution of the country. Why, if we take any of the great writers—though I am sorry to say that some of the people, who ought to do so, do not care to study great writers or great thinkers—but if they will take the trouble to refer to them, they will find it stated that it is the most dangerous thing in the world to interfere with the government of the country. They will find it is one of the most pregnant sources of disaffection. Bacon, for instance, tells us that it is the most fruitful source of disaffection and danger in a country when the Constitution under which the people have lived is being interfered with. He places it at the very head and front of all the dangers to which a country may be subjected. And in every country it has been the same. It was the most fruitful source of trouble in India, and was the cause of the Indian Mutiny. We find, even where countries conquer others, they do not destroy their Constitution. Even when, with the power of the sword, they have subdued other countries, they still leave them their government subject to certain restrictions. Look, for instance, at the conquest of Canada by the English! They left the Canadian Government as it was before. Take even ancient times. When ancient Powers made conquests, they nearly always left the Constitution to the country that they conquered. Take the history of Rome, and you will find that in nearly every instance where any country became subject to the Roman power through conquest—except in a case like that of Carthage, where destruction ensued—the old laws and the old government was still carried on. I have no doubt it is a great matter of amusement to some honorable gentlemen. If they would try and exercise their brains a little, instead of simply laughing or smiling when these things are spoken of, perhaps it would be better. But the mere fact of being pledged to a certain cry—a parrot sort of cry—without thinking or reasoning, seems to be amply sufficient for honorable gentlemen to come here and determinedly to go on voting, voting, voting in the direction in which, in this instance, they pledged themselves. Of course honorable gentlemen may say they were elected on a certain platform, and therefore they

are bound to carry that out. I can understand that. But if that be the whole of it, let it be publicly stated so, that the people may know; but do not let us have this fact: that the people believe in the virtue of a thing which they do not understand, and which really has no virtue in it. Under the old provincial system, men had local self-government. They had the power of making laws within the provinces. They had the power of redressing grievances within the provinces. I hear some honorable gentleman say "No." I do not know whether he knows anything about it or not; but if he will look at the Constitution Act, and at the Constitution of every province, he will see that the provinces had the power of making laws and of governing themselves; and of course, under the restrictions of the 19th section of the Constitution Act, they had the power of redressing their own grievances. Why, petitions that have come up here from the provinces and gone before the Public Petitions Committee could, dozens and scores of them, have been properly treated by the Provincial Councils, and they ought to have been treated there. They were matters relating to the province, and not to the whole colony. And then, in relation to all other things—the daily laws under which men had to live within the boundaries of the distinct provinces—they had the power to regulate all those things. And will any one tell me that in all local matters the Provincial Councils were not better fitted to deal with those questions than this Assembly? What do we find here every day? Honorable members from Canterbury say they must appeal to the sense of justice of the House to defend Canterbury against other people. Would that happen in the Provincial Council? Not at all. There they have to look out for their own business and their own matters—things which in their own limits and within their own boundaries affect them and nobody else. The same with Otago. Every day we hear the Otago people complaining bitterly of injustice. We hear the same of Auckland. The people of Auckland complain bitterly of injustice meted out to them here. Things which could never have happened in the Auckland Provincial Council have happened here this session. Would any one suppose, for instance, that the Provincial Council would take action in regard to our lands such as has been taken here? Does any gentleman suppose that the Piako Swamp affair could have passed in the Auckland Provincial Council? Not at all. No man would have dared to stand up there to propose such a transaction. He might have proposed it, but he would very soon have found what the feelings of the people of Auckland and of the Provincial Council were. It is the same in regard to the management of our other local matters. As I pointed out on a previous occasion, a Bill was brought down to this House by which several gentlemen in Auckland, who had spent £2,000 or £3,000 of their own money in erecting a museum, asked to be relieved of another £2,000 or £3,000 liability by being permitted to borrow on mortgage. The Bill was passed in this House, but in another part of the Legislature it was turned back again. In the

Auckland Provincial Council it would have been passed at once, because every one there knew all about it. But here, when local matters come up, I do not care from what province, they are decided by members who know nothing about them. Take the largest province. There are 22 members from Otago. When an Otago Provincial Council matter is brought up, the 22 members from that part of the country have 66 members against them—members who know nothing about the matter. The 22 members, of course, are utterly powerless, if the others happen to take a whim into their heads. The same with Auckland. We have 20 members, including the members of the Native race. Our 20 members might be unanimous; but if the members from the other provinces are against us, our interests are gone to the wind in a moment. The honorable members in this House who have been with the majority this year—the members from Wellington, the members from Nelson, and the members from the West Coast—will find that exactly the same thing will happen to them. They will find, when the best interests of their districts are at stake; when they want the expenditure of public money; when they want something done which they could easily have had done within their own borders, they will come up here, and people will say naturally enough, not with any desire to injure them, but simply because of ignorance of the whole subject, "This ought not to have been done at all. Let it go." What have we had here to-night? The honorable member for Buller complaining bitterly that in the map of the counties his district has been injured.

Mr. BARFF.—So has ours.

Mr. REES.—There is another—the honorable member for Hokitika, whom, as I have said outside of this House and now repeat, I was glad to hear to-night make sensible and independent remarks about this very Bill. Honorable members who fancy, because they happen to be in the majority to-day, that they will be able to carry what they know to be for the interests of their districts and what their districts have a right to, will find exactly the same measure meted out to them in the days to come. Those who have been in the past most favourable to abolition will be the most bitterly opposed to it in the future. Honorable gentlemen will find that their toes are trodden on, that their sensitive organs are easily touched. They will find that the true interests of their districts are neglected; that whereas, when the provincial system was in vogue, they were able, within the bounds of their own provinces, to do these things for themselves, they will meet with very scant hope here of getting those things done for them which they know to be right. Sir, this is the local self-government which we are to have. I know, from conversations I have had with members of this House to-night, that, if they had heard the arguments against abolition before they had pledged themselves to abolition on the hustings, if they had heard the arguments that have been used in the House this session, they never would have so pledged themselves. A great number of them say so; and I believe that those who do not say so—

HON. MEMBERS.—No, no.

Mr. REES.—There are sure to be some gentlemen stupid enough not to feel the force of argument. I believe that is quite a parliamentary expression. Sir, there may be some gentlemen who would not yield to argument at all, and some who would not be able to see the force of argument. I think there are honorable members in this House it would be very difficult to enlighten; and I am very glad to think that all those are on the Abolition side. I ask honorable members who came up here in this way pledged to this cry and this sort of thing, What do they expect to get for the people, for their districts and their constituencies? I do not know what they expect to get, but I know what they will get. They will get increased taxation, and will find the wants and wishes of their constituencies utterly neglected. They will gradually see this; and they will see in this House a Ministry utterly overworked in attempting to carry on the business of the country; and things will be passed by in a rush and hurry in order that gentlemen may get to their homes. We have been four months here, and what have we done? We have not got the Government financial measures before us yet.

Mr. MOORHOUSE.—Why not?

Mr. REES.—Ask the Government, "Why not?" The honorable member for Christchurch says it is my fault.

Mr. PYKE.—So it is.

Mr. REES.—I think the accuracy of that honorable gentleman's assertions generally is pretty well known to this House. I do not think there is a single member of this House who, if the honorable member were to go on asserting a thing all night, would believe it a bit more than if he had held his tongue. I think some honorable members themselves have taken up a certain amount of time in being called to order in this House. Why, Sir, honorable members really should not expose themselves to the ridicule which comes upon them. Of course, we who are here know their little idiosyncracies and peculiarities; but they have got to such a pitch that, however ridiculous they may make themselves, or whatever objects they may make themselves, they cannot bring themselves lower in the estimation of most honorable members than they already stand. But in a deliberative Assembly it is a pity to hear honorable gentlemen make such statements, or be guilty, in fact, of such acts as some of these gentlemen are.

Mr. PYKE.—I rise to a point of order. Is the honorable member justified in making such assertions? Is he justified in charging honorable members with making statements that are not to be relied upon?

Mr. SPEAKER.—I am bound to say I think the honorable member has been transgressing. Of course, remarks of this kind only lead to retorts; and they cannot form part of an argument.

Mr. REES.—With your permission, Sir, I will find in the debates of the House of Commons and the House of Lords far stronger remarks than those I have used. I would like to know

what you would define as transgressing, if you permit me to ask.

Mr. SPEAKER.—It is a thing which cannot be defined; it is a matter of taste. I have said, and I do think, that the honorable member, in making personal allusions of this kind, is transgressing usual parliamentary etiquette.

Mr. REES.—All I can say is, I do so in company with Pitt and Burke, and the greatest men in the British Parliament. I will produce, if necessary, terms ten times as strong. As to a matter of taste, I am perfectly prepared to take whatever verdict the public or educated gentlemen may give upon my taste. Sir, if I am to be called to order by the honorable member for Dunstan in this way, when I am simply replying to interruptions from him, I would like to know what form of speech I am to use here; or any one else. If you rule I am out of order, I am bound to accept your ruling.

Mr. SPEAKER.—I have ruled the honorable member out of order, and I have endeavoured to explain the reason why I did so.

Mr. REES.—I will not repeat the statements I have made. I do not know to what you address your ruling, that I am out of order, Sir. The honorable member is even now interrupting me, and such interruptions, when I am speaking, are indecorous. I am a member of this House, and represent a constituency; and if I am not to express, within parliamentary bounds, the ideas and views I have, I will leave this Chamber. If that is to be the position of honorable members here, the sooner they go to their constituencies, it seems to me, the better. I was stating that honorable members put themselves in a position which other members of this House may be sorry to see them take up. I am sure that we have not been in the House this session without seeing that, and acknowledging it. I ask why it is that there has been no single important measure, except this Counties Bill, decided within this four months? We have been nearly four months here. Where is the Government finance? We know nothing about it. The Premier was going to make a financial statement to-night; but instead of that, what has he done?

An Hon. MEMBER.—Hear, hear.

Mr. REES.—I am very glad to hear the honorable member. He is not often here to say "Hear, hear." He seldom comes here but to interject "Hear, hear," in a very loud voice, and I do not think he takes much part in the business of the House.

Mr. PYKE.—Not in wasting time.

Mr. REES.—I do not know what the honorable member may consider a waste of time. If there be a waste of time, it is to see the Ministry going on month after month without being prepared to bring before the House even the financial measures requisite to carry on the government of the country. I say this is evidence of one of two things. It is evidence that the Government do not intend to bring forward their finances till the last moment, in order that they may rush them through at the last; or evidence that the business of this House cannot be got through within a moderate time. Why, there

has not been an Order Paper on any day which has not been groaning beneath financial and local matters. Any honorable gentleman can see who chooses to look at the Order Paper even for to-day, that more than three-fourths of the measures are local, not private exactly, but local measures that ought to be dealt with in the Provincial Councils. The business of the House will be loaded by bringing all these provincial and local matters here; and that means an accumulation of business which honorable members will not be able to get through in six months. After all, it may be that we shall have the House sitting here to repeal the Abolition of the Provinces Act, the Abolition policy, the County policy, and all these other policies. We shall have, I believe, the business of the House dragging for six or seven months every year; and the consequence will be that members will not be able to afford to represent their constituencies—they will not be able to afford the time. Such gentlemen as those who are here now, professional men and business men, will not be able to give up six months of the year to represent their constituents. They will have to give it up; and the representation of the people will be thrown into the hands of those who come here to make a trade of it, or those who come here absolutely independent of all circumstances—that class is but a very small one in the colony—who will give up their time for the public good. This, I suppose, is the benefit we are to obtain from the Abolition policy; and at the same time we are to have the whole administration of everything centred in the Ministry here in Wellington. It is all very well to talk about local self-government as distributing everything among the people; but there is no distribution in local self-government such as this provided by the Bill. There is no care of the gaols, or of the police, or of any departments. Their management is not put upon the country; but everything will have to be done in Wellington. Provision is made for the hospitals; but I believe that has been done because they will entail expense. I do not know whether they are to be controlled locally or not. Eleemosynary aid is to be given simply because the Government will not retain the expense of them. That is all. The conduct of affairs and the government of New Zealand must always take a great deal more time than in any other colony, owing to the number of centres of population; and yet we shall all have to be governed from Wellington. Those who are determined to carry out this principle of abolition would be wise first of all to see what benefit they are to gain for New Zealand, what benefits they are to gain for their districts, what benefits they are to gain for their constituents. I say none. It is for these reasons I have objected, do object, and always shall object, to this Counties Bill, or to any measure which does away with the provincial system; because by doing so it takes away the real local self-government given by the Constitution Act. Sir, I appeal again to the fact that next week we shall have been four months here, and actually to-night is the first night upon which we are to receive the Financial Statement of the Government. We have not got into Com-

mittee on the Waste Lands Bill. We have only just got through the Counties Bill; and there are four or five important Bills of the Government required yet to make their new Constitution. What we have done has taken four months, and I should like to know how long it is going to take to get through. It is all very well to say the Opposition take up the time of the House; but if all the Opposition had walked out of the House, and the other members had remained and did their duty, they would certainly have disagreed in Committee about the clauses in this Bill—that is, if they desired to see it framed in such a manner that the country could be governed by it. If passing Bills is simply to cover sheets and pages with printed matter, and to get through Bills with a great number of clauses without considering what the effect of them would be, that is an easy matter, and the Committee would get through any amount of Bills in a week; but this is a question of securing the proper government of the people, and we are here, as the representatives of the people, to see that the laws passed and the measures here adopted are such as will conduce to the public welfare and the proper carrying on of the government of this country. We are making a new, and, it seems to me, a dreadfully retrograde step. We are not taking a step in advance, not promoting the liberties of the people in any respect whatever. We are taking away rights from the people, conferring a franchise upon property, and destroying the liberties of the people. We are taking away the liberties of the people altogether by this Bill. An honorable member says "No." I do not think he knows very much about it, or else he would not say so. There is a very old saying in the Bible, but it will not apply, of course, to any honorable member: "The way of a fool is right in his own eyes." I am glad to hear that the honorable member appropriates it. If this Bill is passed, I believe it will be relegated to the waste-paper basket before very long; because I do not believe that the people, with the advanced political education they have received, will accept such a sham as this in lieu of their old institutions. I believe that even the members of this House who vote for this Bill will yet see the difficulties it will produce, and will not expect the people to be governed by it. The Bill, in my belief, is bad. I have tried to make it workable in many parts in which I believed there were errors, so that they might be remedied. I have not seen the Government very willing in many cases to accept my advice, although in the end they have taken the hints given to them, and to some extent made the alterations suggested to them. I do not believe that any amendment would make this Bill satisfactory to the people, who have been told, over and over again, that abolition of Provincialism was to give them very increased power, and they have looked for it. They would fain believe that what had been done will be for their benefit and not for their harm, not the restoration of their liberty but the extension of it. When they find, Sir, that they have been deceived in their expectations, and when the hopes which they

have formed have faded into thin air, they will naturally be indignant. We can only expect that that will be the result. I hope the House will not pass the third reading of this Bill. I hope, if it is to be passed, that those who vote against it will call for a division, in order that it may be seen who the members were that foresaw the failure of the concern, and had the courage to stick to their convictions until the end.

Mr. REID.—I would just like to say one or two words before I am called on to give my vote on this question. I cannot say that I am enamoured with this Bill; it would be very strange indeed if I were so. I look upon it, Sir, that the Bill will not supply the place of the institutions that we have swept away. But, at the same time, having, as far as in my power, done everything I could to prevent the change that this House has determined on; and having been unsuccessful in my efforts in that direction, I then endeavoured, to the best of my ability, to shape this Bill in accordance with my views; but I must say that in that respect I have also been unsuccessful. I cannot agree to have no intermediate form of government between this House and the people. Under these circumstances, I must say my position has been a very difficult one, because I recognized in this Assembly three parties. I recognized the Abolition party, who are desirous of giving some form of government between the central Government and the Road Boards, or rather the people, because the Road Boards in the Province of Otago would not be sufficient to carry out a system of government that the provincial form of government had to carry out. I recognized another party, composed partly of Abolitionists and partly of Provincialists, who, seeing that we are to have abolition, are prepared to have nothing between the people and this House. I recognize that as the party who wish to have a common purse for the colony. Well, Sir, I am not prepared for that position. I recognize that the districts of the colony should still retain control over the revenue. Having failed to carry out my own views, I was forced to accept that which comes nearest to them, even this poor form of government, as I would call it, even this poor and insignificant, and I fear useless form of government, as between the people and this House. Sir, this Bill does not give the revenue, but it provides the machinery whereby the revenue can be expended. There are other Bills yet to come before the House, and we shall have the power, each according to his ability, of urging our views as to what revenue should remain available for these bodies. I could have wished that we had been allowed, in the province from which I come, to have had a Board of Works. I could have wished that we had been allowed so much: for I conscientiously believe and am persuaded that that Board of Works would have been a more effective form of government, a more economical form of government, one that would have given greater satisfaction to the people, and which would have provided a machinery of government for the whole districts. If any district chooses not to come under this Bill, how are we left? We are left with one

part of the country under a form of government, and another part of the country without any government at all between it and Centralism. It is possible that there may be parts of the country that will not come in. I would say with regard to this Bill that there are one or two of its provisions that will require very great care on the part of Ministers when forming these counties; and one of these parts is that which relates to the division of the counties into ridings. I hope the Government will take very great care as to that matter, before issuing the necessary Proclamation—that they will not be guided entirely by professional men or surveyors, but that they will be guided by the opinion of the people themselves. It would be well to have Committees formed, and to allow the Committees of the districts to give their opinion. Let the ratepayers of the districts have some voice in the division of the counties into ridings. Another important section of the Bill is that which limits the number of ridings to nine. I think that that provision will tend very greatly to prevent the union of districts; for how can you expect two counties of any area to unite and still only retain the same number of representatives at the County Boards? I fear that the provincial system is pretty well abolished. I cannot shut my eyes to that fact. Some are more sanguine than myself, and perhaps their views are more correct. If the provincial system is abolished, I venture to say that gradually we shall work back to something that will very closely resemble it. I believe the provisions of this Bill will not meet the requirements of this country, which is altogether different from any country that we have to compare with it in regard to the administration of affairs. All our large communities are remote from the centre, and are more important than this centre in regard to the larger interests of the communities that have to be cared for. I say these remote centres will never consent to have their affairs administered from here, and have nothing left to them but such powers as are given under this Counties Bill. You will find that the counties, when established, will at once agitate for more power of local control than is given by this Bill. That greater power will have to be given, I believe, to such bodies as I in common with others endeavoured to urge the Government and this House to give now—namely, Boards of Works. These Boards of Works would be advantageous to the Government itself—would be advantageous in the way of giving advice on many matters, and assistance in opening up the waste lands by forming roads to them, which these separate counties could not undertake. There are many matters which I need not enumerate now which would be very well left to the control of these Boards. I believe that Parliament, after we have had a little experience of counties, will go in that direction. I am loth to take up the time of the House, as more important business will come before us to-night; but I was not prepared to go to a division without giving these reasons for the vote which I shall give. I intend to vote for the third reading of the Bill, although I cannot say that I very much approve of it.

Mr. HENRY.—I am not now going to trouble honorable members with my opinions on this Bill. I have only to say that I cannot support a thing which has done so much damage to my constituents. I say that in order to explain the vote which I shall give.

Mr. SHEEHAN.—The Opposition are now availing themselves of a fair parliamentary privilege—that, I mean of speaking shortly on this measure on the motion for reading it a third time. This is a privilege which exists in all legislative Assemblies, in the interest of the Government as well as in the interest of the Opposition. We are now arrived at the end of two years' consideration of the Abolition Bill, and the upshot of it all is this tattered malion business—the Counties Bill. I am reminded of one of the first lines that one learns in the Latin language—

"Parturiunt montes, nascetur ridiculus mus."

This Bill is the result of the great labour of the Assembly for three sessions. I take leave to say that next session of this Assembly we shall be more provincial than ever. The people will have had experience of the operation of this Counties Bill, and their representatives will come back here pledged, I believe, to repeal it bodily, in the same way that they repealed the measure which led to the Abolition question being raised. What a commentary was our last night's proceedings upon a measure which created so much mischief, which paralyzed public business—a measure which kept us from scrutinizing the finance of the colony, which sheltered the Public Works system from investigation! That measure passed away last night almost without a groan—dropped, I may say, out of existence; and even those who were supporters of the Bill had not the decency to shed a tear. Some two years ago, the game of the arch-performer was nearly played out, and it became necessary to stir up some new sensation whereby the public of the colony should be diverted and kept from its real business—some Will-o'-the-wisp, some *ignis fatuus* which would divert the public attention from public affairs. We know the story of it now. We know perfectly well that it was not a matter of three hours' consideration with the honorable gentlemen then on the Government benches, whether or not they should adopt the Abolition policy. We know that "the power behind the throne" canvassed honorable members of this House in the lobbies, and ascertained that there were forty members of this House who were prepared to pledge themselves to abolition, and the Government got three hours to decide as to the course they would take. Within those three hours, the leading spirit of the colony, the initiator of the Public Works policy and the author of our public debt, determined to pitch over the party who put him into power. He came down with his announcement, which passed like a flash of lightning from one part of the House to the other. What can you expect from an Abolition scheme which originated in this way? Nothing but the confusion, nothing but the abuse, nothing but the misrepresentation and misfortune which

have followed ever since. And now, Sir, I suppose, we have abolition! There are some pleasant results which will flow to certain people in this Assembly, and to a certain class in the community. The democratic Provincial Councils, composed of people from the middle classes of the colony, which controlled and regulated the waste lands of their own provinces, are no more. This House and another Chamber will henceforth deal with the waste lands of the colony. They will settle the terms upon which the squatters shall hold their runs; and you may depend upon it the determination of these bodies will not be favourable to the settlement of the country by a large population. The grand crime of the provinces was that they stood between the Colonial Government and the people. That was their besetting sin. And what have you done now? You have created sixty-three small provinces, every one of which will, in that respect, prove to be a greater thorn in the side of the Government than the original provinces. And what have you done further? You have determined that the Chairmen of these County Councils shall not have seats in this House. I believe the Committee has come to that decision. An honorable member near me says that the limitation is, "if they have salaries." Well, that really amounts to the same thing, because you will find it impossible to get gentlemen to perform the duties of Chairmen of County Councils unless they are remunerated for loss of time; and in the end it will come to this: that you will immensely and prejudicially limit the area from which the members of this House will be selected, because the best men in the country will be found occupying the chair in the County Councils; and if they accept salaries, they are to be debarred from taking seats in this House.

Mr. PYKE.—That is altered.

Mr. SHEEHAN.—I am glad to hear that; but the sins of this Bill are so numerous that the mere fact of this not being a sin, does not, to my mind, entitle the measure to abolition. It was also alleged against the provinces, that, by their log-rolling in this Assembly, they prevented anything like good party government in this House. Now, I ask, will not the log-rolling be greatly increased in the future? The very fact that the members who came from the provinces represented a large area of country, enabled them to take a larger and broader view of public questions than they would otherwise have taken; and I say now that under this new system you will find it difficult to get members of this House to take anything larger than a parish view of matters. Am I to believe that we shall have less log-rolling?

Mr. PYKE.—Yes.

Mr. SHEEHAN.—Then I can only say that the honorable member for Dunstan takes a far more sanguine view than I do of the future of this House. The only difference is that, whereas the provinces rolled logs of good sound timber, we shall have here dwarfed and useless trunks—useless for any other purpose than drawing money from the Public Treasury. There is no occasion to draw attention to the Harbour Board Bills, because they speak for themselves on the Order Paper;

but let me refer to another matter. It was one of the sins of the provinces that they had the audacity to borrow. They borrowed with revenue, and the colony borrowed without it. But what have we done? Why, Sir, for the last two years to every organization that we have created for the purpose of governing the colony—whether it be counties, Harbour Boards, or other corporations—we have given powers to borrow far beyond their means of payment. It was a crime on the part of the provinces, but it is a blessing and a matter of praise on the part of the counties. The greatest crime of the provinces, however, was this: that they retained the regulation and sale of their waste lands. They determined to administer them, not for the benefit of a class, but for the benefit of the whole people. Had they chosen to part with the public estate, to have made friends with “the mammon of unrighteousness,” they would have been in existence now. Whatever else they did, they prevented anything like jobbery with the public estate, and to that they owe their decease. It has been said that the people have asked for this measure. I say they have not. The whole of the proceedings which have culminated in the third reading of this Bill form the most striking instance of gross misrepresentation and fraudulent profession that I have ever seen. What were we told last year by the Colonial Treasurer? Liberal largess was to be distributed amongst the Road Boards and counties; but when you look at their statements of this year, you find that all these magnificent promises have disappeared, and that in all their proceedings, while they give with one hand they take away with the other. I say that if the people had known before the last general election what value was to be attached to the professions of the Government, instead of having a majority of members in favour of abolition, there would have been a large majority in favour of maintaining matters as they were. We have a case in point in the question of education. I have a vivid recollection of the glowing programme put before the country last year by the Colonial Treasurer. Amongst other things, we were to have free education. I know that in the thinly populated districts of the North, where the land is held in small areas, and where a difficulty is felt in maintaining their educational affairs on a proper footing, that promise did more for abolition than anything else. But now the people find that all these promises are absolutely broken, and that they are no better off than they were before the Abolition question was broached. One recommendation in favour of abolition was that we were to effect a great saving by abolishing the cost of provincial administration. That statement was made in this House by the late Premier, Sir Julius Vogel; it was repeated by other Ministers, and has been referred to over and over again by Abolition members in this House. Nothing can give one a better idea of the utter hopelessness of convincing people by facts and arguments than the persistent reiteration of this statement; but I will undertake to say that, by the end of twelve months from the present time, the cost of governing the colony under this new system will be four times the cost

of the provincial system. The colony will be one mass of paid officials. You cannot expect the Chairmen of these County Councils to do their work without payment; and if you expect members of the Councils to travel thirty or forty miles to attend the Council meetings without being paid for it, all I can say is that you have a higher estimate of human nature than I have. You will have to pay the Chairmen of these sixty-three Councils; you will have to pay engineers, clerks, secretaries, solicitors—every step you take in the direction of opening up the country will add enormously to the expense. Sir, the people have asked for bread—political bread—and we have given them, in this Counties Bill a stone, about as tough a bit of granite as they ever got; and they will not discover its indigestible qualities until they try to swallow it. I simply rose to speak now because I had not an opportunity of speaking on the second reading of the Bill. I can fairly say that I did not attempt to stop the passage of the Bill in Committee, but I did not like to see it go to the third reading without expressing my opinion. I say now, that the whole thing is a delusion and a snare. Instead of being the outcome of a statesmanlike policy, it was brought down in a fit of temper; the most delusive promises were given; we know that already a great many of these promises have been deliberately broken, and of those that remain not a tithe will ever be carried out. I feel confident that in the course of another year or two we shall travel back to the place whence we came. It will be found impossible to govern this country satisfactorily from one centre. We may not have separation; we may not have two colonies; but in spite of the Abolition proposal, and in spite of the Counties Bill, we shall have restored to us the power of governing ourselves in the centres of population without having occasion to come to this Assembly in Wellington to discuss every petty matter, as the Government now propose to make us come. I believe this Bill, in its present shape, is a vast improvement upon the measure which was first brought down. When we look back upon the position the Government has taken up in regard to this matter; when we compare the statements of the late Premier, Sir Julius Vogel, in introducing the Abolition resolutions of 1874, with the proposal of his colleagues in 1875, and compare these in turn with his own proposals of 1876, we are forced to the conclusion that, up to within three or four days of the meeting of Parliament, the Government had not made up their minds what they were going to do. They were feeling their way blindly in the dark. We all remember last session that, in addition to the Abolition of Provinces Act, we had before us another measure which occupied considerable space in honorable members' pigeon-holes. I mean the Local Government Bill. And what became of that Bill? We have heard nothing of it since. All the time Sir Julius Vogel was away, nothing whatever was done for the purpose of finding out what institutions should be put in the place of the abolished provinces. Ministers had done absolutely nothing, and proposed to do nothing, until the late Premier

suggested the County system. I can only say that, without being at all desirous of asserting it presumptuously, I do not believe that Ministers set themselves to the task of considering this matter until about a month before the House met. When I consider what effect this measure will have on the people in the course of the next few months; when I look at the measure we are called upon to put into operation; when I see, as I do see, the immense disappointment the people will feel when they think of what they expected to get and what they will get, I feel certain that the whole colony will pronounce but one judgment on this measure and the whole of the proposals: that is, that they were simply fraudulent misrepresentations from the start; that the originators of them did not seek the real good of the colony or the advancement of the public interests, but that, over and above these things, they have preferred class and personal considerations. It will be found that they would not stop short at abolishing the provinces, but that they would abolish anything in order to preserve those particular institutions which they value far above the public institutions of the colony. Sir, a measure begotten and carried out in this way can only come to an untimely end, and I am certain that will be the fate of this one; but I feel deeply the losses and the disappointments which the people will have to put up with between this time and the opening of their eyes which I am certain will take place. We have what is called "responsible government." By some fiction, Ministers are supposed to be responsible for their actions. I can understand responsible government as it exists in Turkey. If a Minister there commits himself, he is soon disposed of by means of a bowstring. But what is done in such an event here? Ministers do all sorts of things—destroy the public finance, for instance—and next year we pass a vote of want of confidence in them, and they are required to go out and make room for other and better men.

An Hon. MEMBER.—And then a Bill of Indemnity is brought in.

Mr. SHEEHAN. — Yes; then there is a Bill of Indemnity. That is what is called responsible government. Why there has been no responsible government for the last seven years. It is impossible to speak in this House of the Government without giving unnecessary pain; I have been speaking of the "Government" to-night, and I have included in that term one or two gentlemen who were members of the Ministry last year, one or two who were members during the previous year, and one or two who were members in the year before that again. This is like the polypus—you cut off one head and another grows in its place. We have heard a great deal about the Immigration and Public Works policy, and I have only to say, with regard to it, that, but for it, we should have had something like pure party government. I say now with all sincerity, that, Provincialist as I am, if I thought the adoption of the Abolition policy would lead to the existence of two defined parties in this House, I would give it my support. But it is impossible that it can do so.

There are already the conflicting interests of the North, South, and centre, and these will be multiplied by this system. I suppose, Sir, there is nothing for it but to read the Bill a third time, we may as well do that. It is an unpleasant do to have to swallow, and we may as well swallow it. A proposal to read the Bill a third time the day six months would, I feel confident, not be carried; and there is no occasion, I think, to make an unnecessary motion like that, when you cannot expect any good result from it. I think the Opposition will have done its duty by entering its protest against the third reading of the Bill and dividing the House on it. I hope, Sir, to see you fill the chair which you now occupy for the remainder of this Parliament; and as certainly as you were called upon last night to put the question to the House that the State Forests Bill should be repealed, so surely do I feel that, if you continue to occupy that chair, you will, before the end of the present Parliament, be called upon to put the question to the House, that the Abolition of Provinces Act be also repealed.

Mr. BURNS.—Sir, I wish to say one or two words before this matter goes any further. I do not like this measure, and I am certain my constituents do not like it. At the same time, as I said on the occasion of the second reading of the Bill, if the House chooses to read it a second time, I will not oppose it on the third reading. I feel that I am bound now to vote for the third reading of the Bill, unpalatable as it may be. It is a great pity that the House did not agree to the very moderate and temperate proposal of the honorable member for Taieri—namely, to let the whole Province of Otago choose for itself whether it will be divided into counties or not. I think, Sir, and I say it with sorrow, that by doing so this House would have been doing a very wise thing. That course would have tended to allay a great deal of the strong feeling that exists in Otago now and will exist still. As far as my own constituency is concerned, I am afraid this matter will not be easily arranged, because this House has simply blotted that constituency out of existence. This House has divided my constituency into two parts, one of which has been assigned to the County of Waikouaiti, and the other to the County of Taieri, and I am certain that neither of those counties will like to be joined to my district. I had a difficulty with regard to the district which I represent. It was my intention to move that there should be a fresh county; but I felt myself to be in a difficulty, because I thought the House would have allowed the whole Province of Otago to stand, in order that the people might cut it up themselves. From the late date of the Government laying the maps showing the county boundaries on the table, I was unable to get my constituents to express their opinion as to how the county should be framed, and it was almost impossible for me to get up in this House and propose anything of the kind. If the Counties of Waikouaiti and Taieri agree to take in my district, I feel certain that the three will never agree together. I feel that if I were to vote against the third reading of the Bill, I should be

doing an injustice. Before I sit down I wish to make one remark on what fell from the honorable member for Port Chalmers the other night, and to put myself right. I told the honorable member that I believed he knew nothing about the matter; and neither did he—not more than myself at any rate. I saw that neither he nor myself knew what our constituencies would consider the proper boundaries to adopt. At the time, I saw that the honorable gentleman misunderstood me, but I did not choose to make any further remark at the time. If I had been certain what my constituents thought regarding this matter, I would have taken immediate action in the House. I think it is a great pity, and I am sure the House will yet regret it, that we did not leave the whole province as it was, and allow the people to settle these boundaries themselves. That would have been one great means of soothing the feelings of irritation that exist. The very fact of the people themselves being called upon to form these boundaries would have been the most effectual way of doing this. Now, Sir, the House has taken this position, that it has itself formed these boundaries, and it will not be such an easy matter to get rid of these boundaries—that is, even supposing that the people take up these counties at all. I say this with regret, because members outside our province do not believe that the amount of irritation exists which really does exist. I can assure them that a great amount of strong feeling exists, and it is to be regretted that the very reasonable request of the honorable member for Tairi was not agreed to. I feel that the only course left for me now is to vote for the third reading; because I consider it would be wrong to leave the country now in the position that there is nothing to stand between the people and the central Government.

Mr. ROLLESTON.—Sir, I do not feel that I can vote for this measure. I shall not endeavour to enter upon the arguments that have been adduced on the various stages of this Bill, but I do not think I should be true to my own opinions, if when the division took place I were to vote for the Bill. I believe that this Bill will not answer the expectations of the House. I believe there is scarcely any member of this House who really cordially agrees with the Bill. I think that this Bill will not satisfy the country, and I believe it does not even satisfy Ministers themselves. The principal object of this Bill, and that which the country looked for in the Bill, was local self-government. Well, Sir, I do not think the Bill supplies that in any shape or form in which the people expect it. The people were led to expect not only local self-government, but also substantial revenues and independent functions that they were to exercise themselves. I do not think this Bill gives that independence and local self-government that will be looked for by the people at large, especially in the South. The scheme was looked upon in the South, at all events, as one which would give a fair distribution of the land revenue to the several districts. I believe that the form which I proposed to the House of modified Provincialism—extending to the old provinces the boundaries of the counties that

were to be created—was the only possible form which would secure the proper distribution of the land revenues in those districts in which the land revenue has hitherto arisen. For years past the land revenue has not been evenly distributed in the particular road districts in which it arises; and nothing but some general system, under a body selected from the whole of the districts, could possibly secure a fair distribution of the land revenue in the future. I am satisfied that the Province of Canterbury at least will be grievously disappointed at the result of this Bill. Sir, I am sorry that I cannot vote for the Bill. I feel, however, that in the Bill there is one clause which is really the point of the Bill, and that is the 205th clause, which provides that, in all cases where sufficient provision is not made in this Bill for the objects of the Bill, the Governor in Council may make that provision. I do not think that, as a rule, that is at all a satisfactory arrangement, but the meaning of it in this case is, that neither the Government nor the House is satisfied with the Bill, and that they are going to leave with the gentlemen on those benches the responsibility of working out a system of local self-government during the recess. Everything depends upon the administration during the recess, and very little, I am sorry to think, will depend upon the merits of this Bill. I shall vote against the third reading.

Sir G. GREY.—I will still ask, is there no means of getting this debate adjourned? I feel that the subject is one of the greatest public importance.

Mr. SPEAKER.—It is open to the honorable member to move that the debate be adjourned.

Sir G. GREY.—Unless the Government will consent to that, I fear it is hopeless to move it. I would point out that the whole delay to-night originated in one member of the Government being determined to take a certain portion of country into a county in which he had a very large interest himself, and after a very long period of time they were obliged to abandon that attempt in a great part. Now I desire myself to address the House on this subject, and a great many other honorable members would like to do so, if time were allowed them. I submit that it is not respectful to the country to hurry through such an important measure at such an hour of the night. I believe it is very unusual to take the third reading of an important measure of this kind immediately after the Committee has made its report, and when alterations have been made which no one can bear in mind. I think the whole thing is very irregular, and certainly the fault is not with the Opposition. I do trust that the Government, who caused the delay, will now allow the debate to be adjourned. Moving the adjournment of the debate will give the Treasurer an opportunity of making his financial statement, and on Monday this matter can be settled. If there is the least hope of the Government assenting, I would do that.

Major ATKINSON.—If the honorable gentleman has finished his speech, perhaps I shall be able to say something.

Sir G. GREY.—I move the adjournment of the House.

Major ATKINSON.—It is hardly necessary to say that the Government will not consent to that.

Sir G. GREY.—I beg to move, That the House do now adjourn. I shall press that to the vote, and, if it is lost, I can speak afterwards.

Mr. SPEAKER.—The honorable gentleman will not be able to speak afterwards.

Motion for the adjournment of the House negatived.

Mr. READER WOOD.—I think the proposal of the honorable member for the Thames, that the debate should be adjourned, is in itself a very reasonable one. The ordinary course is that, after amendments have been made in a Bill, at least one day is allowed before the report is agreed to. In a measure of such importance as this, I think it is a great pity that this course has been departed from. There is no doubt whatever that the amendments made in the Bill are much beyond mere technical and unimportant amendments; and therefore I urge on the Government the desirability of giving still further time for honorable members to express their views on such a measure, and particularly when the Bill itself may be before them in its complete form, so that they can really understand the bearing of the amendments. I beg to move, That the debate be now adjourned.

Sir G. GREY.—I believe I can now speak on this question. I think the debate should be adjourned, in order that so important a matter may fairly be spoken to by honorable members. I have pointed out that we are not responsible for the delay, and that therefore we are entitled to the privilege of an adjournment. I think that the matter is one of very great importance indeed; because, in truth, every vestige of self-government is about to be swept away from this country. I wish to point out, as one reason why an adjournment should take place to enable honorable members to make representations on this subject, that we have none of the privileges now left to us which are usually enjoyed by British subjects. The Premier laughs at that; but it is a sad truth, and no one knows it better in his heart than he does himself. I would point out that we have not an hereditary monarch in this country; that we have not an hereditary Upper House, nor have we an elective Upper House. We have here, as a superior branch of the Legislature, one of a form known in hardly any part of the British possessions, and in very few countries in the world. Secondly, in this Assembly we have not the ordinary privileges possessed by British subjects generally throughout the Empire, because property returns to this House, from the power which it possesses of voting, in various electoral districts, an undue number of members. That is one most important question. In that respect, we are deficient of that amount of representation which is ordinarily enjoyed by Her Majesty's subjects. Necessarily, as a consequence of that, the taxation of this country is an unequal taxation. It is a

taxation which does not fall upon individuals in proportion to their wealth, or to the advantages which they enjoy. It is a taxation to which all contribute nearly equally—the poor and rich alike. Then, from property having an undue power and representation in this House, those taxes are unfairly expended. They are expended principally for the benefit of a class. Now, you will see, Sir, that under this Counties Bill as it stands—

Mr. SPEAKER.—I am very loth to interrupt the honorable member, but in the question of adjournment of the debate it is desirable and usual that honorable members should confine themselves to reasons for adjournment of the debate.

Sir G. GREY.—I must yield to your ruling, Sir; but I thought no stronger arguments could be adduced for the adjournment of the debate than those I was using. I cannot help thinking that those arguments were clearly proving that it was desirable honorable gentlemen should have an opportunity of addressing this House at length upon such an important subject. If I am forbidden to make such remarks, I cannot help myself; but I must say that the conduct of the Government has been little courteous to me. Under the circumstances, I think the Premier should, in a courteous, gentlemanlike manner, have answered my question, instead of plunging me into considerable difficulty by saying that when I had done my speech he would make a reply. That embarrassed me, and prevented me from making the speech which I was entitled to make, and deprived me of the answer which I think, by all rules of parliamentary courtesy, I was entitled to have given me. It is not only on this question, but on many others, that the honorable gentleman has treated myself and other honorable members with a want of courtesy, and with a want of parliamentary custom and latitude, which I think is humiliating, and certainly hurtful to the feelings of honorable gentlemen. But if I am obliged to be subjected to treatment of that kind, and shut out from the observations I think I ought to be allowed to make, nothing remains for me but to sit down, protesting against the course pursued.

Mr. W. WOOD.—When the honorable member for the Thames was speaking to the question of the third reading, he seemed to be placed in a difficulty by the honorable gentleman at the head of the Government not replying in that manner which he had a right to expect. Therefore, in order to give the honorable gentleman a chance of speaking to the question, I think it would be as well for some honorable member to move, when the question of adjournment is disposed of, that the Bill be read a third time this day six months. I shall therefore move the amendment when this question is disposed of.

Motion for the adjournment of the debate negatived.

Mr. W. WOOD.—I now move, Sir, That this Bill be read a third time this day six months; and I take the opportunity of uttering my protest against this Bill, and against the circumstances which have given rise to it. I consider that the

country has been deluded, and that members were not returned to the House to carry out this purpose. I say many of the members of the late Parliament betrayed their constituents. The fact of my being here proves that they did so; and it is further proved by the fact of other members from the district from which I come being here also, and holding the views we do. But it is not necessary for me to go into the matter now. The hour is late, and I know the honorable gentleman for the Thames is anxious to address the House. I shall, therefore, conclude by uttering my protest against the Bill, and declaring that I will vote against it.

Mr. FISHER.—As I have paired upon this question, and there may be some misunderstanding with regard to my vote, I beg to say that, if I were to vote to-night, I should vote against the third reading of this Bill, as I did against the second reading. I think it is a mistake altogether, and that it will not answer the purpose required, while it will land the country in a state of confusion. I merely mention this because, as I paired once before, and my pair was not recorded, I do not wish my motives, of which I am not ashamed, to be mistaken. I wish it to be known that I vote against this Bill, and do not at all believe in it.

Sir G. GREY.—Sir, I now resume the remarks I was making when you stopped me. I was remarking that taxation was in this country imposed by a majority sent here by property, and not in proportion to population; that taxation was so imposed that its incidence fell upon the masses, and that property was left almost untouched. This Counties Bill, which pretends to be an instrument created for the purpose of giving self-government to the people of the country, increases that disadvantage. It is possible, under its provisions, that whilst a man with small property has but one vote in a county, a man with considerable means may possess forty-five votes in returning members to the Council. And then, what I believe will be deemed incredible in other countries, while property takes from the people at large moneys raised from the masses by unfair taxation, considerable subsidies are to be given from the moneys so raised to the County Councils to be expended again by property, and not in fair proportion to the contribution by the people at large. It was one remarkable feature in the old system of Provincial Governments, that there were Governments throughout the country elected with a tolerable degree of fairness, influenced by no class feeling, and having the inestimable privilege that the laws passed by them did not travel out of the Colony of New Zealand to be confirmed—a privilege enjoyed by no other country under the British Crown. Sir, you must not imagine, and the country must not imagine, that this question of the abolition of Provincial Councils is one in which New Zealand alone is concerned. Many other parts of the British Empire were looking to New Zealand to see how institutions of that kind worked, believing that they might even be advantageously introduced within the limits of the British Islands. It will

now be said, from the example apparently given in New Zealand, that people value institutions of this kind so little, and care so little for liberty and freedom, that it is not worth while to give them to the inhabitants of portions of the British Islands who would gladly ask for them if placed in their power. I am thoroughly convinced in my own mind that means have been taken to influence the opinions of some of the statesmen of this country to lead them to adopt the conclusion they have adopted in regard to these institutions, for the express purpose of giving an example to other portions of the Empire, which would enable statesmen at home hostile to such institutions to declare that such institutions were useless. I regret to say that, in my firm belief—and I say this with no intention of wounding or giving offence, but believing it is a duty laid upon me to make such a statement calmly and deliberately—I believe that unfair means have been had recourse to, to lead the inhabitants of this country blindly to surrender themselves to a guidance which was leading them into that course by which their free institutions were taken from them. Of that we can look for no more marked instance than the memorandum recently addressed by the Premier to the Governor of this colony, circulated throughout the country for the express purpose of encouraging those who were bent upon abolition, and of discouraging those who were struggling for their rights—a memorandum characterized by a want of accuracy which, on the part of a Government, I think was shameful—a memorandum characterized by boldness of statements wanting in that rigid regard for truth which such statements ought to have—a memorandum misleading in itself—a memorandum which the Governor of this country was induced to forward under his own name and under his own signature, when, Sir, he ought to have been taught to have shrunk from following such a course. I say we could have had no better instance than that of the unfair means taken to induce the people of this country either to ask for abolition, or to accept it as an evil from which they could not escape—to lead them to believe that their Sovereign had assented to a law by a positive statement that she had done so, to which law those who made that statement knew she never had given her assent—to lead the people to believe that the great Law Officers of the Crown in England, men well versed and practised in such subjects, had declared that this Assembly had power to do that which it attempted to do, while those who made that statement well knew that the Law Officers of the Crown in England never gave an opinion of the kind. A statement of that kind must have encouraged those who were pressing on to gain an object which they knew would give them great advantage, and must have discouraged those who contended against such objects, who desired to remain loyal subjects to their Queen, and to do nothing contrary to that which the law required from them. But this is not the only instance of such proceedings. As has been very well pointed out by the honorable member for Rodney, bribes have been held out to counties, to municipalities,

and to Road Boards—promises made which were not to be fulfilled, and which, in my heart I believe, those who made them knew, at the time they were so making them, they could not fulfil—promises now being made which I am equally certain they cannot carry out—promises which would lead counties to believe that for the next five years they are sure of certain advantages promised to them, but which those who made the promises know cannot be performed. They know the weight of debt which overloads and overshadows this colony. They know the state of their finances. They know they cannot fulfil the pledges which this Bill would appear to contain. All these considerations make me feel that it is the bounden duty of every man who cares about his country—every man who values public rights, public honor, and public welfare—to vote against the third reading of this Bill. And I say that those too who believe that this measure amounts to nothing ought still to vote against it, because, after all the improvement they have made in it, it is but a sham. I say that, because I believe the provincial system is not yet abolished. I believe, differing from many others, that before this session has closed, the Government themselves will gladly make abolition permissive. I believe that they will thank me for the measure I have introduced, and will gladly accept it; and I believe that, once it is left to the provinces themselves to determine whether their existence shall now end or not, it will be found that several will decline to commit self-destruction. Such, Sir, is not only my hope but my belief—my firm anticipation. I think the Government themselves must have felt that they have entered upon a course of difficulty which they little calculated they would have to encounter, when they first undertook to carry out the plan which they are now trying to force upon the country. They may rely upon it that difficulties are arising in the South, and will arise in the North, which will prevent their success in the schemes they have undertaken. They may rely upon it that within the next few days appeals will be made by telegraph to the Home Government which will compel instructions to be given to the Governor of this country differing from those which would suit the views of the gentlemen who sit upon the Government benches. They may rely upon it that within a few weeks many men in New Zealand will feel that a time is coming, and that very quickly, when great names are to be made, which will last for ever in the history of this country; and they will find that all that is noble, all that is good, and all that desires greatness will spring forth upon this occasion, and will leave an imperishable renown behind them. Within the next few months those names must be determined which will for ever live in the history of New Zealand; and men knowing that will not be slow to acquit themselves as great and good men should do in the difficulties which are about to come. I cannot conceive the infatuation which has led men on in the course which this Government have adopted. I cannot conceive how they can justify themselves in many acts they have performed. How could

men submit simply to occupy those benches the will of a single man for whom they were provide an office in England in recognition of their having been placed in the posts which they hold? How, Sir, can they bring themselves to try to take from their fellow-men rights which their country conferred upon them? How can they bring themselves to hurry on unfairly an unjustly proceedings which they have resolved to carry out? Why try to stifle this debate? Why not have allowed an adjournment, so that on Monday next those who desire it could have spoken their sentiments on the subject to the constituents and their fellow-countrymen in New Zealand? Why tyrannically use a majority in this House to rob us of a right which all our deliberative Assemblies possess—the right of directing and guiding the opinions of their fellow-countrymen? Why have hurried on to-night—I say this with all deference to the Chair—the third reading of a measure which, according to all parliamentary usage, ought not to take place on this occasion? Why have they occupied all the early part of the night in an attempt to wrest for one of that Ministry—one member of it—power over a great district of the country in which he has so large a personal interest? I cannot tell what my feelings are when I think of what has been done to-night in that respect to perpetuate what I believe was a great and a gross wrong—an effort which has prevented myself and others from speaking at a time when our strength might have been greater and our minds less worn out, and which has compelled unfairly a debate on this great question to take place at this hour of the morning, when it might have taken place quite early in the evening. They might, with common justice, have allowed the Colonial Treasurer this evening to have made his Financial Statement, and have let this debate take place on Monday next. Protesting against the course thus followed, protesting against this measure itself, I simply say that, to the very best of my ability, I shall in every way act against the third reading of this Bill.

Captain KENNY.—As it is my intention to vote for the amendment that this Bill be read a third time this day six months, I wish to make a few remarks. I ask the indulgence of the House because I find myself placed in a somewhat peculiar and painful position. I have supported the Government hitherto, because they have endeavored to carry out the Abolition policy. But I find that in bringing this measure before the House they have not been content with that policy, but they have adopted a plan of reconstruction of which I cannot approve. It appears to me that they have in this Bill continued many of the evils which I believe Provincialism has been fruitful of. We shall have, it seems to me, a double form of government, and be afflicted with too much government. A number of honorable gentlemen who have spoken to-night have pointed out the evils which this Bill perpetuates. It will therefore be quite unnecessary for me to go over that ground. But I think it is due to the Government and to the honorable gentlemen with

whom I shall find myself voting to-night, that I should state plainly that I vote against the Bill on grounds in which possibly I shall not find much sympathy from either party. I believe that in the course I am taking I am fully representing the feelings of the constituents I have the honor to represent. I know that the course I am taking now will not in any way prevent the ultimate carrying out of the Abolition policy. I merely wish on this occasion to enter my protest against a course of action which I believe the Government themselves did not originally contemplate. I think, if my memory serves me right, that I am borne out by an expression of the Premier himself during last session. When the question was asked, "What did the Government propose to substitute for the provincial system?" The honorable gentleman replied, "Nothing." Now, I believe we want nothing in place of Provincialism—that, in many portions of the colony, the existing Road Boards could carry on the local works, and that, within those portions of the colony where Road Boards do not now exist, a measure might be introduced forming Road Boards or any other description of machinery that might be found necessary for particular parts of the country, such as gold fields. I must say I am inclined to indorse the opinions of some honorable gentlemen who have to-night stated their belief that the time will come when the question of abolition that will be raised will be the abolition of the counties. I think this country has been over-governed. My objection to the provincial system is, that it is an excrescence—that it is becoming an extravagance. I do not mean to say that it has not done its duty, and has not performed a part in the government of this country; but I believe that the necessity for that form of government no longer exists, nor do I think there is a necessity for replacing it by a system of modified Provincialism. On these grounds, I intend to vote against the third reading of this Bill.

Mr. LUMSDEN.—The course I will take on the present occasion will be somewhat similar to that indicated by the honorable gentleman who has just sat down. I look upon this as a very poor substitute for Provincialism. I know that there is a small portion—and I say "small" advisedly—of the community in the district I represent who have expressed themselves very strongly against Provincialism, and who have attacked Provincial Executives and provincial administration in language that I cannot but call most indecent, led on by a local journal and by a small clique. If the Government in Wellington were to refuse to listen to the claims of those gentlemen—supposing the provincial system were swept away—they, too, would come in for their share of the abuse which Provincial Executives have hitherto had to bear with equanimity. I had no intention of submitting to the claims of these noisy cliques, who invariably have their own purposes to serve. I know that the great majority of the people in the district of Southland have a warm affection for the provincial system of administration. I know that much dissatisfaction has arisen, and that there will be dissatisfaction

arising in connection with any administration; but I know that, generally speaking, the people were satisfied it was the system best adapted to the wants of the community, and would be so adapted for some time to come—that the country was not ripe for this change; and I cannot see that the system that is now proposed by this Bill will be at all satisfactory to the people. I feel, however, that the best way to bring about a climax to the dissatisfaction will be to give the people this County system. I feel that there is throughout the colony a large amount of dissatisfaction—not only at the abolition of the provincial system, but at the state of uncertainty and suspense in which the whole public business of the country is being kept. Not only is this suspense attributed to the Abolition measures, but the Opposition are also blamed for it. I shall be no party to this system of suspense. Although I have no faith in this County system, I should prefer now to relegate the matter in the usual course to the other Chamber, and see what they will make of it. But I say here that I will be no party to it. As I said before, I do not wish to hinder the Government, who I believe are thoroughly honest in their intentions, and in their belief that this will be a good system of administration for the districts of the country. I give them credit for good faith. I have no faith in the system, but I do not wish to hinder them, or hinder that effect being given to the will of a majority which a majority has always a right to claim. I do not wish to be factious in any case, but I decline to commit myself to work this out. I will be no party to it. If the Government party are strong enough to carry it, let them carry it; I will avoid voting either for or against it. I cannot say, with the honorable member who last spoke, that something in the shape of an extension of the Road Boards should be substituted for the provincial system. There is another point I feel perfectly satisfied on. I might have been induced to support the Government if they had introduced some scheme by which the people of the district I come from might have been formed into one body. They were greatly dissatisfied when their provincial independence was taken from them, and they are desirous to have the powers they then held in some way restored. I would therefore be inclined to support anything that will tend in that direction, and I advocated the constitution of a county for Southland, as something that would further that desire. I have much doubt, however, whether the proposal contained in this Bill will satisfy the people. I have been told that a strong expression of opinion has been given recently. I have not seen the memorial, but I believe it was signed by 800 people, and was forwarded to the Government, expressing the desire of the people of Southland that they should have no connection with the County of Otago at all. I fancy that this feeling has sprung out of the desire to have their provincial administrative powers restored to them, and I should like very much to see those powers restored, perhaps in some modified form. The proposal indicated by the honorable member for Taieri was, I think, a very good one, although it would not have been very satisfactory to South-

land. Making one county of Otago would not have been acceptable to Southland; but had the honorable member's suggestion been adopted, a simpler and thus less expensive system would have been brought into operation than is likely to result from this Counties Bill. I cannot see how over sixty counties can be conducted at a less expense than the nine provinces, and I fancy that the sixty Chairmen will cost—for they must be remunerated for their services—more than the nine Superintendents. Members of the Councils will have to be paid for their services, for they cannot be expected to travel twenty, thirty, forty, or perhaps one hundred miles without being paid for their attendance. Believing that the whole paraphernalia of local self-government as provided by this Bill will be very expensive and very unsatisfactory, I will not vote either for or against the Bill.

Mr. STOUT.—Sir, I do not intend to take up the time of the House with making any lengthy speech, and I only desire to offer one or two remarks, simply because, when I asked for the adjournment of the debate, it was denied. My objections to the Bill are threefold: at least I shall only refer to three at this time of the morning. The first I consider to be a most radical defect in the system—the divorce between the country and the towns. I regard that as a most grievous blunder. Instead of tending to create a unity of interest and feeling in the colony, a feeling will be created between the towns and the country that will have a most mischievous effect in the future. You are divorcing the people of the towns from those in the country, and training them to believe that their interests are opposed to each other, and training them to work separately for that which ought to be their common end. There are many instances in which it will be found absolutely impossible to carry on, unless there be a good feeling between the country and the towns. I may instance the hospitals and the charitable institutions of the colony. It will not be expected, for one moment, that the towns are going to maintain these; and if the towns do not maintain those institutions, I ask what will become of them? Their maintenance will be cast on the General Government, or they will not be supported at all. If they are cast on the General Government, it will be found that the General Government will have to undertake duties and responsibilities to a large extent, and will have to expend money out of the Consolidated Revenue, and that will cause additional taxation. That is my first objection. Another objection is this: that the Bill tends to disserve the town population from all share in the administration of the waste lands of the Crown. This is a most grievous mistake, and a most grievous wrong. If you are to train the town and city population to look at the waste lands administration as something apart from them, you are relegating the most important function of the government of the colony to a selected class of people—namely, those who are interested in pastoral and agricultural pursuits—and the result will be that the framing of the land laws will be so managed that they will not provide for

settlement in future. Then there is another objection. The counties will be led, in order to get rid of taxation, to sacrifice the land estate of the colony. The curse of this colony in the past has been the selling of the land which has been regarded as a profitable source of revenue. Consequently the land has been sold, careless whether its disposal provided a settlement or not. That has been the origin of so many landed proprietors, and that has caused the finest agricultural land in New Zealand to be seen, as one travels through it, without a house upon it, or without any improvements, and nothing but sheep, sheep, sheep. You can travel through fine districts in Canterbury, over fine districts in Otago, in Wellington, in Nelson, and I believe in other provinces also—I can only speak of those I have mentioned—where there could have been homes for thousands of people instead of which the land has been sold in large blocks to proprietors, and no settlement has been provided. I see that the Land question will be one of the most difficult questions to deal with in the future, and by this system you are simply intensifying the evil. What will every county be come? Why, every county will become grasping and greedy for land fund, and they will ask that the land should be sacrificed careless of settlement. That is one evil this County system will cause. Another is that it will not provide for opening up and selling new country. Where will all the revenues go? The districts that will most profit from the Land Fund will not be the outlying districts, but the largely-settled districts, where the country has been divided up into small farms. These will get the largest amount of subsidy; and what will be left to provide for roads in the outlying and sparsely-populated districts? They will get nothing. I can point to districts in Otago. Take, for instance, the County of Waikouaiti, where there are most expensive works to be constructed. In Waikouaiti, a very large bridge will be required next year; but how will it be made? Bridges and main roads will have to be maintained; but how will that be done in the outlying districts? If I had time, I would trace the history of this County system in New Zealand, and it would be a most peculiar one. I would begin with the Local Government Bills of 1867 and 1868, and I would show how this County system originated. There was no word of this Local Government system until, in a fit of ill-temper, the Premier came down with a proposal to abolish the North Island provinces, because the House did not readily agree to his Forests scheme. However, before the Forests scheme had time to be developed, the House, by two to one, actually negatived it, by passing a repealing Bill. That Act was the basis of the whole of these constitutional changes. I can quite understand a statesman advocating a scheme for the abolition of the provinces; and I should have had much more faith in the County scheme if it had been proposed to found a new Constitution for New Zealand in the manner in which new Constitutions are usually proposed. In that case, it would have been presented before the people purely upon its constitutional merits, and

on those alone. If we look at the history of the formation of new Constitutions in other countries, we shall see that this has been done: Take, for example, the history of the creation of the United States Constitution. How was it brought about? Was it brought about by letters in the newspapers and by the offering of bribes,—by suggestions to the people that, if they voted for the new Constitution, they would get more money spent in their particular localities? Sir, the American Constitution, when framed, started upon the assertion of general principles, that have almost passed into proverbs throughout nearly the whole civilized world. In this colony, how was this proposed new Constitution supported? I say it was by a system which will yet prove most pernicious, a system of going to the people and saying, "If you will only vote for this measure, you will get more money." That was the beginning and the end of these constitutional changes in New Zealand. We have had the changes rung upon that, even up to the present moment. What are the Bills before the House, the Provincial Appropriations Bill and others, but bribes? This is the method in which the Constitution of New Zealand has been altered, and the result will be calamitous to New Zealand in the future. I will tell the House why. Because there will be no measure proposed as the measures for reform were proposed in England, for the people will be asked to judge of a measure by the money they are likely to get. Fancy the Reform Bill in England being judged of by money. And yet this is the method in which the Constitution of New Zealand has been destroyed. There are those who have taken part in this debate who will live not only to regret what they have done, but to vote against the course they have taken. No doubt there were those who went into the lobby in favour of the repeal of the Forests Bill who had previously voted for the passing of that Act, and they went into the lobby with no regret but this, that the Bill should ever have been placed on the Statute Book at all. So it will be in reference to this County system. Not that I would oppose a County system if the people desired counties. But I would desire that a County system should be inaugurated by the wish of the whole people in the different districts, and that only when there was a general desire on the part of the people for it, in order that they might have greater liberty in managing their own affairs. We were told that nothing should stand between the people and this House; but the whole scheme of the Government has been to prevent the people from coming to this House, because they at last got afraid that there would be roads and bridges and public works mentioned in it. And what is it now? You are to bring in a County system between the people and this House. And what will that amount to? Why, Sir, you will find that every County Chairman, as is done—so it has been stated this evening—in Nova Scotia, will be sending up a list of the public works which he considers will be necessary for his district, and this Assembly will cease to be a legislative body; it will be a huge Board of

Works for the distribution of patronage. If this scheme had been introduced to give the people more power over their own affairs, over their roads and other works, and over their local institutions, I do not believe that any objection would have been raised to it. If they had really desired to introduce this system of government, they ought to have come down with a County Bill creating sixty-three counties in New Zealand; and when that system had been worked for several years, and when by these counties the functions of the provinces had been absorbed, they could have come down with a scheme of abolition if they pleased. Instead of that, you will have sixty-three counties. Some of them might well be termed parishes. You will have sixty-three Chairmen, and the lowest sum you will have to give them will be £100, £300, or £500 a year. You will have the payment of the Chairmen and secretaries, leaving out the cost of surveyors, advertisements, and other expenses attending the carrying out of the County system. You will have the payment of two salaried officers in each county, and you will have an expenditure exceeding the cost of maintaining the provincial system throughout the whole of New Zealand. The expense both of the General Government and this House will also be increased; and what will the people get for the expenditure of the money? Will they get more roads made? Will they get more bridges built? Will they get more schools established? Will they get more charitable institutions endowed? There is no one in this House who will say that more roads will be made, more bridges built, or more institutions maintained. They will get during the next two years a mere barren cry raised for some political purpose, in order to absorb not only the functions but the revenues of local institutions that exist in New Zealand. You will have a policy inaugurated in New Zealand by the introduction of the Forests Bill, and ended by the passing of this Counties Bill—a policy which may well be described as a policy of blundering, or, to use a phrase adopted at Home, a policy of plundering and blundering, that will end without any credit to those who inaugurated it. It is well known that the majority of this House have gone in for what is termed abolition. -I believe there are not half a dozen persons who support abolition who really know what abolition means—they simply take up the cry of abolition. I have no hope of seeing this policy altered until the country experiences the evil effects of it. Perhaps not next year—that would be too soon—or the next five years; but I believe ten years hence the people will look back with regret at the abolition of the provincial system. Then will come that agitation which has commenced now, and which will never cease until some sort of Provincialism is again restored. It is absurd to think that the people can forget the manner in which this Abolition Bill has been introduced and carried out. Do we find that the union of Ireland and England has been forgotten, or the manner in which it was carried out? Do Irishmen forget the page of Irish history, a most dark page, a page wherein the Parliament was bribed? I

say, Sir, that we have inaugurated the same scheme of union, if it may be termed union—the scheme of abolition here. It will remain on our historic page also that abolition was brought about by bribery. The result will be the same as in Ireland, where, during many years, much agitation has existed. It exists now, and it will exist in times hereafter—an agitation which menaces the freedom of England and English subjects; because it is well known now that Irish members have almost ceased to regard Imperial interests; they confine their attention almost solely to the question of Home Rule, and thereby are injuring the functions of the English Parliament. That happened in Ireland; and I say there will arise in New Zealand a true local government party—a true Home Rule party—that will be most injurious to the future of New Zealand politics. I believe it will end in one of two things—in the splitting up of this colony into several colonies, or else a localism in dealing with New Zealand affairs such as the provincial system never inaugurated. The provincial system was truly a national system. It was the only system suited to a colony situated as New Zealand is, with a long strip of seaboard and with settlements at various parts from one end of it to the other. It was the only system which allowed for the conservation of national interests, and gave scope for the opening up of the country and for the settlement of it. Under that system you had this Parliament dealing with national affairs, and purely local affairs were not intruded upon the consideration of this Assembly. You have abolished that system; and what have you reared instead of it? You have reared a system that will create heart-burnings in every part of the colony. I do not believe there is one district in the colony but what will regret the County system. As soon as you have it created and established, you will find that it will not be successful. In every little village or town you will have money spent, not in opening up the country, but merely providing for by-roads through the large farms of wealthy settlers. That will be the result of the County system, and that is the reason why I shall vote that this Bill be read a third time this day six months.

Question put, “That the word ‘now’ stand part of the question;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	37
Noes	...	...	...	...	16
Majority for	...	...	...	...	21

AYES.

Mr. Andrew,	Mr. Montgomery,
Major Atkinson,	Mr. Moorhouse,
Mr. Ballance,	Captain Morris,
Mr. Barff,	Mr. Murray,
Mr. Bowen,	Mr. Murray-Aynsley,
Mr. Brandon,	Mr. Ormond,
Mr. Bryce,	Mr. Reid,
Mr. Bunney,	Mr. Reynolds,
Mr. Button,	Mr. Richardson,

Mr. Curtis,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Harper,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kennedy,
Mr. Larnach,
Mr. G. McLean,

Mr. Rowe,
Mr. Stafford,
Mr. Stevens,
Mr. Teschemaker,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.
Tellers.
Mr. Kelly,
Mr. Pyke.

NOES.

Mr. De Lantour,
Mr. Dignan,
Sir G. Grey,
Mr. Henry,
Mr. Hislop,
Mr. Joyce,
Captain Kenny,
Mr. O'Rorke,
Mr. Rees,

Mr. Rolleston,
Mr. Swanson,
Mr. Thomson,
Mr. Tole,
Mr. R. G. Wood.
Tellers.
Mr. Stout,
Mr. W. Wood.

PAIES.

For.

Mr. J. E. Brown,
Mr. Cox,
Sir B. Douglas,
Mr. Johnston,
Mr. Manders,
Sir D. McLean,
Captain Russell,
Mr. Seymour,
Mr. Sharp,
Mr. Tribe,
Mr. Williams.

Against.

Mr. Fisher,
Mr. Sheehan,
Mr. Baigent,
Mr. Nahe,
Mr. J. C. Brown,
Mr. Shrimaki,
Mr. Luak,
Mr. Macandrew,
Mr. Seaton,
Mr. Takamoana,
Mr. Hodgkinson.

The amendment was consequently negatived, and the Bill read a third time.

The House adjourned at twenty minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Monday, 9th October, 1876.

Second Readings—Third Readings—Native Land Purchases—Library—Kōmangarautawhiri Block—Law Practitioners Bill—Gold Duties Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

SECOND READINGS.

The Counties Bill, the Rabbit Nuisance Bill.

THIRD READINGS.

The Education Boards Bill, the Port Molyneux Reserves Bill.

NATIVE LAND PURCHASES.

The Hon. Colonel WHITMORE asked the Hon. the Colonial Secretary, Whether his attention has been drawn to a letter signed by Mr. John Rogan, a Judge of the Native Land Court, which has been published in a Poverty Bay paper, denying the accuracy of statements made by the Hon. the Native Minister in documents

laid on the table of both Houses of Parliament; and whether any steps have been taken, or are in contemplation, with regard to it? He might say he asked this question without having a distinct knowledge of the circumstances to which it referred. He simply asked the question because it appeared to him to involve a very curious dereliction of duty on the part of a public officer, or else some extraordinary circumstances which might have justified a deviation from the ordinary rules of the public service. He could see there was some connection between the matter and the subject of the paper which had been laid on the table in return to a motion by the Hon. Mr. Mantell; but he was not in a position to express any opinion on the merits of the dispute involved in the discussion between Mr. Wilson and Judge Rogan. He simply desired to ask the Colonial Secretary, whether this precedent of a Judge of the Native Land Court publishing a letter reflecting upon the Government was to be allowed; and, if so, the particular reasons that might justify its being printed. If any information came to his knowledge before an explanation was given by the Government as to the actual matter referred to in that letter, he would hold himself quite at liberty to make any motion on the subject he thought proper.

* The Hon. Dr. POLLEN said, since the honorable gentleman had placed this question on the Paper, he had seen the letter to which it referred, and which, if he might be permitted to say so, he had read with considerable regret. The answer to the latter part of the honorable gentleman's question was, that the Native Minister had been, as honorable members were perhaps aware, for some time absent from his place through illness; but he had no doubt that whatever steps were necessary to be taken in regard to this affair would be taken immediately his honorable colleague was in a position to resume his duties.

LIBRARY.

The Hon. Mr. MENZIES asked the Hon. Dr. Pollen, What steps the Government propose to take with reference to the resolutions agreed to by the Joint Library Committee on the 29th of August, requesting that new plans should be obtained before proceeding with the erection of new buildings for a library?

The Hon. Dr. POLLEN said the Government proposed to take a vote this year for the necessary expenditure on the building, and, as soon as that was done, to call for competitive designs.

KOMANGARAUTAWHIRI BLOCK.

* The Hon. Mr. NGATATA, in moving the motion standing in his name, said he did so because the Natives did not understand why the Crown grant was issued to the sons of Thomas Ellison.

Motion made, and question proposed, "That there be laid upon the table of the Council the papers connected with the issue of the Crown grant of the block of land known as 'Komangarautawhiri,' and the reasons why His Excellency the Governor was advised to issue a Crown grant for the same."—(Hon. Mr. Ngatata.)

* The Hon. Dr. POLLEN said there was no objection on the part of the Government to the motion of his honorable friend, and the papers would be produced. The subject was an old one, and had been already more than once before the Legislature.

Motion agreed to.

LAW PRACTITIONERS BILL.

* The Hon. Colonel BRETT, in moving the second reading of this Bill, said it was introduced solely with the view of amending "The Law Practitioners Act, 1871," and contained a provision whereby any one objecting to the admission of persons applying to the Supreme Court to be allowed to practise as barristers and solicitors was required to give due notice to the Court of the intention to oppose the petition of the applicant. The Bill only affirmed a broad principle, and did not specify any particular person or persons as coming under its operation, so that he trusted the Council would take a liberal view of the object of the measure, which was to enable any legal gentleman, whose character had been questioned, to seek redress in the Supreme Court. The Bill formed rather a connecting link with two former Acts passed in 1866 and 1871. It was, therefore, he thought, necessary for him to give some explanation of the measure. The gentleman more particularly affected by the Bill, and whom, from a motive of delicacy, he would only designate as Mr. S., was in 1849 convicted in England of an offence which was committed under an impression, that in signing the name of a gentleman to a legal paper in duplicate, the original having been lost, he was not guilty of any moral turpitude, as there was no pecuniary advantage to be gained by the transaction. Mr. S. was convicted of forgery, and underwent a sentence of twelve months in Newgate. This took place more than a quarter of a century ago, and therefore, as the sentence had been borne, he considered that the offence had been expiated, and in a great measure condoned. In the year 1851 Mr. S. came to New Zealand, with a view to practising his profession. In 1863, he voluntarily presented a petition to the Supreme Court setting out the facts of his case, and asking for permission to practise. In 1865, the Judges decided that the conviction did not debar him from practising. In 1866, the Attorney-General brought in a Bill to the Council, entitled "The Law Practitioners Amendment Act, 1866." In Committee, the Hon. Mr. Miller procured the insertion of clause 3, which reversed the action of the Judges, and precluded this gentleman from practising. It would be apparent to every honorable member that that was *ex post facto* law. It was considered unconstitutional, and a violation of the constitutional law of Great Britain. That Act, he maintained, was a most unjust one. It was legislation directed against a gentleman who had committed an offence some twenty-five or twenty-six years previously, and it perpetuated an act which was one of cruelty to that gentleman, while it was *ex post facto*, and he might say *ultra vires*. In 1871, Mr. Smythies

petitioned both Houses of Parliament to be relieved from the operation of the Act. A Bill was passed in the other House giving him relief; but when that Bill came to the Council, the identical clauses which gave him relief were struck out, and other clauses inserted, relegating the matter to the decision of the Judges. In 1872, in conformity with the provisions of that Act, Mr. Smythies petitioned the Judges again, and his case was then heard. A very careful investigation, which was more in the form of a trial, took place. The proceedings at this trial or investigation had been printed. In his opinion they had been very carefully drawn up, and the whole circumstances laid down from beginning to end. With the permission of the Council he would read some of the views expressed by the Judges. In one part it is stated,—

"In coming to a conclusion adverse to Mr. Smythies upon the question raised under the first subsection, it is fair to him to state that the fraud which he appears to have practised was, of necessity, as harmless to others as it was useless to himself."

Now, what stronger report could be made in favour of this unfortunate gentleman? Surely they would say that there was no moral turpitude in his act. Now he came to another portion of the distinguished Judge's remarks:—

"And we feel constrained by the facts to admit that it would not be easy to suggest any case, coming within the legal definition of forgery, which would imply a less degree of 'moral turpitude' than we are bound to infer must have existed in the case in question."

He would now read another portion which was very strong, and which he was sure ought to have weight and would have weight with honorable members:—

"On the whole, we arrive at the conclusion that the circumstance of the petitioner's offence did not imply such a degree of 'moral turpitude' as necessarily to require his perpetual exclusion from the exercise of his profession."

The following portion had an equally strong bearing upon this gentleman's case:—

"We may say at once that these charges would not, in our judgment, either separately or together, have been sufficient to justify the Court in striking Mr. Smythies off the rolls, or probably even in suspending him from practice. Moreover he has, in some instances, been able to explain his conduct in a way more or less satisfactory."

He thought honorable members would admit that they should take into consideration the leniency of those remarks, and should pass this Bill. It only proposed to give this gentleman an opportunity of again appearing before the Judges of the Supreme Court—gentlemen who were the guardians of the purity and honor of the legal profession. He was sure honorable gentlemen would not think it fair to shut the door against this gentleman receiving justice. He only wished the Judges to report on his case, because when the last trial took place his prosecutors came forward at the very last hour, and he had no opportunity of refuting the evidence brought

against him, which was adduced only a day or two days before judgment was given. This Bill intended to give relief not to this gentleman sole but to all those whose characters might be unjustly aspersed, by imposing upon their accusers the necessity of giving twenty days' or a month's notice. It was a most cruel act to perpetuate the penalty for an offence committed some thirty years ago. This gentleman was advanced in years; he had nearly run out the period of life allotted to mankind; and surely, when this unfortunate gentleman passed away, they would not allow the cold and heartless world to point the finger of scorn at his innocent widow and orphan children. As they knew, the Duke of Wellington gave evidence in Parliament on the abolition of flogging and in answer to a question he stated that there were gentlemen in the army who had attained that rank of general officers, and who in former days had been flogged. In the army a man might have been in the defaulter-book fourteen, fifteen or twenty times, and might have received punishment; still, if his name was clear of the defaulter-book for two years, the whole of his former conduct was whitewashed, and he could leave the regiment with a good character. He would ask honorable members if they had not, in their youthful days, committed offences which they would be sorry to see brought into daylight. He himself would regret some of his offences. He hoped, therefore, that honorable gentlemen would do as they would be done by, and would look upon this matter in a charitable and Christian spirit, and forgive as they would expect to be forgiven, allowing this man to go and sin no more.

The Hon. Colonel WHITMORE felt it to be his duty to move, That this Bill be read a second time that day six months. The ground on which he asked that this Bill should be virtually shelved was that they had exhaustively considered the subject previously; they had taken a lenient view of the matter, and tried their best to do what they thought was just at the time; and their recommendation was adopted and carried out in another place. No doubt there were some circumstances attending this case which deprived it of some of the worst features of the crime of forgery and uttering, but they were, after all, not of such a nature as to entitle him to obtain pardon in England, and he had never come purged before any tribunal in the country where he committed the offence. Arguments based on the injustice of *ex post facto* legislation must always give way to expediency. There were many things contrary to law which nevertheless, for the safety of the bulk of the population, it was necessary to do; and it was an acknowledged principle that, when cases arose, such claims should be fairly compensated. Acting on that principle, the Government of the day, chiefly because it was recommended by that Council, had the courage, against considerable opposition, to propose and carry a vote of £1,000 to this individual, who had met with this qualified wrong. He said "qualified wrong;" because, although admitted to practice, Mr. Smythies had been admitted on a misunderstanding—a misun-

derstanding which had arisen from an imperfect narration of his own case. He had not, as he should have done, supplied the Judge with minutes of the trial, but gave a short newspaper extract, which alluded but very cursorily to the trial. He admitted that he had been found guilty of one of the two offences of forgery and uttering, but not that he was found guilty of both; whereas, in point of fact, he had been found guilty on both charges. Therefore, that must be regarded as an intentional misstatement. Looking at his case from the point of view in which he presented it, one of the Judges at all events supported his case, and he was admitted to practice. It was found afterwards that this case came completely within the category of cases in which public interest was opposed to the right which had been so acquired, and the Bill of 1871 was brought in to deprive him of it. And what did that Act provide? The 5th clause of that Act provided,—

"Any person who, having been admitted to practice as a barrister or solicitor of the Supreme Court prior to the first day of January, one thousand eight hundred and sixty-seven, shall have been disqualified from practising as a barrister or solicitor of the Supreme Court by the operation of the third section of 'The Law Practitioners Amendment Act, 1866,' may apply to the Supreme Court for exemption from the penalties of the said Act under the following circumstances, namely:—

"If he shall satisfy the Court,—

"1. Either that there are circumstances in his case not adduced at his trial which if adduced would in the opinion of the Court have influenced the jury to find a verdict of 'Not guilty:' or,

"2. That the circumstances of his case do not imply such moral turpitude as to unfit him for the exercise of his profession.

And if in either of the cases provided for by subsections (1) and (2) he shall in addition satisfy the Court that since his conviction and up to the time of his application he has pursued a course of upright conduct."

It was with respect to the latter part of that clause that Mr. Smythies had failed. He admitted that this gentleman's case was an unfortunate one, and his removal from the roll of solicitors appeared to be an infraction of the almost invariable practice of not carrying out *ex post facto* legislation; but that gentleman received, in consideration of the *quasi* injury to which he had been subjected, the sum of £1,000. He (Colonel Whitmore) hoped that when that money was liberally given to him by the Government—and, to some extent, courageously given by the Government, because the great body of the profession and a large number of members of both branches of the Legislature were very much opposed to it—they would have heard the last of this case. There could be no question that it was not only his original crime—which was a very grave one—but also his conduct since he had been in this country, which was against him. It must also be borne in mind that the position of solicitor was one of singular trust in this country, and

one which it was very important should be filled only by people in whom the utmost confidence could be reposed. Disturb the confidence felt in that profession, and a very large number of persons in the country would be put to very great inconvenience indeed. Introduce into the ranks of the solicitors of New Zealand persons who were not to be trusted, and who had, in their previous history, been found guilty of such crimes, and an enormous number of persons would no doubt be robbed of means which they could not afford to lose; and those persons would be the most helpless members of the community—women, and gentlemen who had no business habits. In the interest of those persons, and in the interest of the good character of the colony—which ought not to be supposed to be an asylum and place of congregation for all solicitors who were unable to practise in any other country in the world—it ought to be their desire to keep the ranks of the legal profession as pure as they could. However much the Hon. Colonel Brett might have worked upon their feelings on this occasion, and however much they might sympathize with the misfortunes of this gentleman, they ought to resist such feelings, and refuse to re-open a question completely set at rest by an exhaustive debate in 1872.

*The Hon. Mr. HALL said that, whichever way honorable members might vote on this occasion, he was sure they would all appreciate the motives which had induced the honorable and gallant Colonel to bring the subject forward. It did credit to his kindness of heart, and his anxious desire to promote the cause of justice. At the same time, he claimed to be no less anxious to do justice than his honorable friend, and it would have been a matter of great satisfaction to him if he could have felt himself justified in voting for this Bill. But on reconsideration of the whole facts of the case, he felt that he must give his vote on this occasion as he had given it on previous occasions. His honorable friend had so clearly and fairly stated the history of the case, that he need say very few words on that subject; but he thought the Council ought to be again reminded that, though it was true the Legislature did a wrong by *ex post facto* legislation to Mr. Smythies, yet they went as far as they were called upon to go to remedy that wrong, when they enabled the Judges of the Supreme Court to re-admit him to practice if, during the time he had been in practice in New Zealand, his conduct had been such as to entitle him to be retained in his position as a solicitor. In pursuance of that legislation, the Judges heard Mr. Smythies' petition, and his honorable friend had not completely laid the result before the Council. It is quite true that the Judges did say,—

"We may say at once that these charges would not, either separately or together, have been sufficient to justify the Court in striking Mr. Smythies off the rolls, or probably even in suspending him from practice. Moreover, he has, in some instances, been able to explain his conduct in a way more or less satisfactory."

But his honorable friend ought to have gone a little further. The Judges went on to say,—

"Yet the question here being whether we can, with safe conscience, affirm that he has carried himself throughout these transactions as an 'upright' man, we feel bound to declare that we cannot do so, and that there remain, after every allowance made, unanswered imputations which are fatal to his case."

That was the deliberate judgment of the Judges of the Supreme Court; and he was sure honorable members would admit that the Judges were not only upright and impartial, but known to them all as kind-hearted and considerate men. If, therefore, the case came before the Council without any other feature, he would be unable to vote for the Bill. But that was not the whole history of the case, as pointed out by the Hon. Colonel Whitmore. The Legislature went farther—and he thought it was to their credit that they did so—in remedying the wrong which it was asserted they had inflicted on Mr. Smythies. In 1872—chiefly, he thought, at the suggestion of members of that Council—a resolution was proposed in the other branch of the Legislature for the payment to Mr. Smythies of a sum of money in compensation for any wrong the Legislature had inflicted upon him. That resolution was passed; a sum was placed in the Appropriation Act: that sum was received by Mr. Smythies, who gave a receipt for it. He considered Mr. Smythies accepted that sum in full satisfaction of all claims he had upon New Zealand. It had been asserted, however, that the question was not what Mr. Smythies was induced to sign, but what was the intention of Parliament in voting this money. Now that was true. They ought to ascertain what was the *bond fide* intention of the Parliament in voting that money. The vote would not be largely debated by that Council, as they did not appropriate money; but it was debated in the other branch of the Legislature, and he might be allowed to make quotations from some of the speeches made in the course of that debate. The resolution was brought forward by Mr. Bathgate, and was to the following effect:—

"That a respectful address be presented to His Excellency the Governor, requesting him to place the sum of _____ upon the estimates, to be paid to Mr. Henry Smythies by way of compensation for the loss which he has sustained by the operation of 'The Law Practitioners Act Amendment Act, 1866.'"

In moving that resolution, Mr. Bathgate made a speech from which the following were quotations:—

"The question might be summed up in this way: How much loss had Mr. Smythies sustained through the action of the House in passing 'The Law Practitioners Act Amendment Act, 1866'? He might sum up the whole question by quoting one single sentence from a short note handed to him by Mr. Smythies. He states, 'If I am turned adrift without compensation, which would enable me to establish myself in some other business, the remainder of my life, and that of my wife, must be one of utter poverty and misery.'"

Therefore Mr. Smythies asked that sum, not for the purpose of coming to Parliament again, but for the purpose of establishing himself in

some other business. Mr. Bathgate went on to say,—

"It was right that they should take into consideration the future value of his business. They had taken away not only the four years' employment, but they had taken away the full value of the profits he would have received from his business during the future."

And again,—

"They could atone to some extent for the wrong done, and put an end to that much-voiced question, by enabling him to turn his attention during his remaining days to some other line of business, and preventing that poverty and ruin which must overtake him if compensation be refused."

It seemed to him that that was conclusive as to the understanding upon which the House was asked to vote the money by the gentleman who proposed this resolution. Then the gentleman who followed him, Mr. Murray, stated,—

"He did not think the House was in a position to vote such a sum as would indemnify Mr. Smythies for all the loss he had sustained; but some consideration should be given to the matter, not merely in regard to compensation, but in order to close the subject, which had been brought before them for the last two years."

Then Sir Julius Vogel, who spoke very strongly in support of Mr. Smythies' case, said,—

"He had seen a letter by which it appeared that to carry out the proposal which he (Mr. Vogel) made on the previous day, that he should have a yearly grant, with a view to his coming up to the Legislature from year to year to seek redress, would be impossible, because Mr. Smythies felt that he had no longer strength to do himself justice. He was old and feeble now, and broken down, and did not feel equal to making further efforts. Therefore, all they could do in the matter was to make a money grant, which at once and for ever would settle the matter."

Then Mr. Steward said,—

"If, in consequence of the act of the other branch of the Legislature, the House could not reinstate Mr. Smythies, all they could do was to give him some money grant, and thus end the matter. It had been suggested that there should be an annual grant. He did not agree with the suggestion, as he thought it would be better for the House to finally settle the question, which had been for some considerable time before the public, the Legislature, and the Judges in various ways."

During the same debate, Sir Julius Vogel quoted a speech made by the Hon. Mr. Miller in the Council, in which he stated,—

"There were many ways of treating it. There was the way proposed by the Minister of Justice, and there was also a money reparation way. He maintained that it would be better to pay £10,000 to that individual, if wrong had been done him, than for them to repeal an Act which was founded absolutely upon what was right in the abstract and in every other way."

He made also a quotation from the Hon. Mr. Sewell, as follows:—

"As to the question of compensation, he per-

fectly agreed with the Hon. Mr. Miller, that it would be better for the colony to pay £10,000 rather than adopt such a course as was proposed."

He asked any honorable member whether after reading those speeches—the speech of the proposer and of the chief supporter of Mr. Smythies' claim—it was not abundantly clear that the intention of the House in voting that sum of £1,000 was to settle not only claims for past grievances, but to settle the matter for ever. He felt strongly on the subject, because at the time the money had to be paid he filled the office of Colonial Secretary, and it was his duty to see the intentions of the Legislature given effect to. He required the Attorney-General to prepare a very clear and distinct receipt to be signed by Mr. Smythies before he received the money. That receipt had been laid on the table, and he held a copy in his hand. In that receipt Mr. Smythies stated—

The Hon. Mr. ROBINSON suggested that the honorable gentleman should read the whole of the receipt.

* The Hon. Mr. HALL only proposed to read a portion of it, because he was afraid of wearying the Council. However, the receipt was as follows:—

"I, the undersigned Henry Smythies, do hereby acknowledge that I have this day received from the Hon. the Colonial Treasurer of the Colony of New Zealand the sum of one thousand pounds (£1,000) sterling, being a sum of money which, by a resolution of the House of Representatives of the said colony, passed on the second day of October instant, was voted to be paid to me 'by way of compensation for the loss which he has sustained by the operation of 'The Law Practitioners Act Amendment Act, 1866.' And I do hereby further acknowledge and declare that the said sum is received by me in full discharge and satisfaction of all or any claims or demands which I allege to have or to have had against the said colony or the General Assembly thereof, for or by reason of anything contained in 'The Law Practitioners Act Amendment Act, 1866,' or any Act amending the same, and which may in any manner have affected or concerned me, directly or indirectly, in the respect of the practice of the profession of a barrister of the Supreme Court or solicitor thereof, or any other function, duty, or privilege which as such barrister or solicitor I was or might have been entitled to perform or exercise."

He could not possibly understand how any gentleman, in the face of that document, could say that the £1,000 which was paid to Mr. Smythies was in compensation for claims for previous losses, and not in full satisfaction of all claims he had on account of the passing of the Act of 1866. On those grounds, he thought the Council must absolutely say No to the proposition of his honorable and gallant friend. If they did not, he thought they would be giving way not to the real merits of the case, but to the sheer force of importunity which Mr. Smythies brought to bear upon them. His honorable friend had drawn a very touching picture of the painful

position in which Mr. Smythies was placed. The honorable gentleman had, he thought, a little overdrawn it. It was not quite correct that they debarred Mr. Smythies, who was a man of great ability, from earning his livelihood in some other way, because, in point of fact, they knew he was doing so; but what his honorable friend asked them to do was to enable Mr. Smythies again to go to the Supreme Court, to be put back into the position of an officer of the Supreme Court. The position of solicitor was one of very great power, and to which were attached considerable privileges. He was a person in whom the Court necessarily placed very great confidence, and whose word and certificate it took as it did not take that of any ordinary person. The question now before them was, were they, after the Court had once refused, as the extracts he had read showed, to send Mr. Smythies back again to the Court and say, "We wish you again to consider whether Mr. Smythies should not be placed in the position of an officer of the Court"? He did not think anything that had come before them had shown that this was just. The history of Mr. Smythies since he was admitted to practice—part of which had been laid before them in affidavits—showed, he thought, that it would be a great misfortune to the locality in which he resided if he were readmitted to practice as a solicitor and barrister of the Supreme Court. His course of conduct during the time he was practising, as shown in the affidavits, was such that they would be inflicting a very great injury—to use the mildest term—upon any community, and would be doing it a great wrong, if they went out of their way to again place Mr. Smythies in the position of a solicitor. On those grounds, and on the ground that what had been done in the matter of the grant of money was done in full satisfaction of any claims Mr. Smythies might have, and was received by him in full satisfaction, he thought they were bound to refuse to entertain this application. While he gave full credit to his honorable friend for his kind motives in bringing this subject forward, he felt bound to vote against the second reading of the Bill.

The Hon. Mr. MANTELL said that, while the difficulties in this case certainly originated with Mr. Smythies himself, he must express his regret that in these later stages needless difficulties appeared to have been interposed which were not attributable to the action of that gentleman. He must admit that, after what had been read by the Hon. Mr. Hall, it would seem that it was understood, at any rate by the Legislature, that the compensation of the session of 1872 was intended to be a final settlement of accounts with Mr. Smythies. Yet Mr. Smythies himself did not hold that view of the subject; and he would vote for the second reading of the Bill, however hopeless it might be. On a former occasion it fell to his lot, by direction of the Petitions Committee, to introduce a Bill, which was rejected, and which proposed to afford relief to Mr. Smythies. On that occasion he went fully into the merits of the case, and he then said, what he now repeated, as regarded the charges of sharp practice against Mr. Smythies—which had

been kindly recirculated amongst them in the form of a parliamentary paper—that when they investigated them and went fully into the merits of the case, it appeared that there had been a little sharp practice on both sides; but that on the other side the sharp practice had been far worse than that on the part of Mr. Smythies. He was sorry that an additional difficulty had been thrown in the way by the wording of the receipt which was signed for the money, but he could not himself see his way to regard that as an insuperable difficulty. He was afraid that Mr. Smythies signed the receipt at a time when he had very little prospect of further relief without additional evidence; and he could only account for it by supposing that, possibly, the £1,000 appeared a very large consideration, and that the innocent simplicity of Mr. Smythies was not equal to the occasion. He would support the second reading of the Bill.

The Hon. Mr. MENZIES would support the amendment. After the remarks which had been made by the Hon. Colonel Whitmore and the Hon. Mr. Hall, there was very little to be said. Those honorable gentlemen had gone into very nearly every point; but there was one particular on which he thought he might add a little to what had been said, and that was with reference to the character of the legislation. As honorable members would remember, the clause that was introduced into the Law Practitioners Act was modelled upon a clause in an English Act of George I., which, he thought, very clearly laid down the principle upon which legislation of this character should be based, and afforded ample reason for enacting provisions which might be stigmatized as retrospective, and would also justify that retrospective legislation. The clause in the English Act read as follows:—

“And for avoiding the great mischiefs and abuses which arise from infamous and wicked persons already convicted of wilful perjury or forgery, &c.”

If there was one class more than another likely to be dangerous to a community, it was the class of lawyers of a character described in that clause; and it seemed to him that, though the Act might be stigmatized as retrospective legislation, it acted justly in debarring such persons from holding a position which would place them in confidential relations with the most helpless of the community. If persons of that character were allowed to practise, it would, as the Hon. Mr. Fox had said in another place, be simply placing the wolves in charge of the sheepfold. That retrospective legislation, such as this might be called, could be justified, he would show by reading an extract from what was said in 1871 on this subject in another place by Mr. Rolleston. That honorable gentleman then said,—

“It had been said that retrospective legislation was unjust and unfair. Now, generally, the objection to retrospective legislation had an element of truth in it, which made it exceedingly taking; but in a case like the present it was inapplicable. Retrospective legislation might be unjust and unfair where the rights of individuals had been injuriously affected in a way which had not been

contemplated at the time it was passed; but it appeared to him that the criminal law was founded on principles which were universal, uniform, and fixed, and which did not depend upon a question of time. It was no injustice on the part of the House to pass a law which declared that a certain crime incapacitated a man from practising a certain profession, when such a law was passed in the interests of the public generally. It was not for the purpose of inflicting pain or punishment upon an individual, but for the protection of the public.”

With that object he held that such action was justifiable. He concurred so fully in the remarks that had fallen from both the honorable gentlemen who had opposed the Bill, that he would only be wearying the Council if he repeated, perhaps in less eloquent terms, what had already been said. His recollection of the particulars of this case, and the knowledge he had acquired of the circumstances, did not exactly bear out his honorable friend Colonel Brett in stating that Mr. Smythies gained no pecuniary advantage from the crime of which he was convicted; for, if he recollected the circumstances aright, he forged the order to recover costs from a client against whom he had no other recourse, and from whom he could not have legally recovered the costs, amounting to about £300 or £400, without some such action as he took. He could hardly be said to have gained no pecuniary advantage.

The Hon. Mr. G. R. JOHNSON had listened with some surprise to this debate, because he had heard a good deal concerning the case of a certain individual, but not a word about the Bill itself. Now, he had looked through the Bill, and he could not find any reference whatever to Mr. Smythies, or anything affecting his case. The Bill apparently was introduced with the object of making clear some points which were not quite clear in the law of 1871, as to granting facilities for persons to go before the Court and have their cases reheard. He thought it was a great pity that Mr. Smythies' name had been brought up on this occasion. He felt a certain amount of sympathy for that gentleman, but he recognized that it was very much his own fault that he had not been readmitted to the Bar. He had no doubt that, had he been able to satisfy the Judges that up to the time of his application for readmission his conduct had been proper, he would have been readmitted. He would not enter into the circumstances of the case, but would repeat, with regard to the Bill now before the Council, that there was nothing that should frighten them very much. The main point seemed to be contained in the last clause. He believed there was some doubt as to whether, under the existing law, a person could make a second application for readmission, and he thought it was desirable that this point should be decided. No doubt it might be said it was not right, after persons had once been refused, to give them an opportunity to bother the Judges again and again with applications for admission; but he believed no Judge would, in any way, object to rehear a case, provided there were sufficient grounds disclosed in affidavits to lead him to think the applicant was

entitled to a rehearing. He would certainly vote for the second reading of the Bill.

The Hon. Captain FRASER said he intended to support the Bill. He believed the adoption of the word "upright" as indicating, with other terms, the nature of the conduct which Mr. Smythies should prove to have observed during the time of his probation, or between the passing of the Act of 1866 and the period of his application for readmission, had rendered it impossible for the unfortunate man to get inside the Bar; and he remembered how the Hon. Mr. Sewell laughed triumphantly when he saw that word inserted in the Act of 1871.

* The Hon. Colonel BRETT, in reply, would remind honorable members that this case had been twice before both Houses of the Legislature, and had been twice investigated by the respective Petitions Committees, and he might say, with regard to the Committee of the Council, that it had been favourably reported upon on both occasions. He did not think it was liberal on the part of the Council to repudiate the decision of its Select Committee, which, every one would admit, had always taken the greatest care in arriving at its conclusions. The last petition on the subject prayed that, if any wrong had been done to this unfortunate gentleman, it might be rectified; and that petition was signed by nineteen gentlemen, all of whom were members of the legal profession. If the legal profession petitioned that this gentleman should be allowed to practise again, he could not see how the laity could object. The Hon. Mr. Hall had said that the £1,000 was given to Mr. Smythies as compensation on condition that he never again brought his case forward. He (Colonel Brett) understood that that money was given to him in adjustment of all money claims. Surely it was not in the nature of a money transaction when a man sought to reclaim his character and his honor! A gentleman's honor, no matter of what profession he was, was as dear to him as life itself; and he trusted the Council would take that view of the case. In regard to the payment of compensation, with the permission of the Council he would read a letter by the late Premier, Sir Julius Vogel, the original of which he had himself read some time ago, and which was in contradiction of the view taken by the Hon. Mr. Hall, when giving his version of Mr. Smythies' receipt. The letter was as follows:—

"14th July, 1876.

"DEAR SIR,—In reply to your letter, I have to say that, in my opinion, the £1,000 paid to you debars you from any further claim for compensation, but not from taking any steps you think fit, or the Legislature from taking any steps it thinks fit, to relieve you from the disabilities under which you labour.—I remain, &c.,

"JULIUS VOGEL."

That receipt surely did not preclude Mr. Smythies from appealing to the members of the Council to be allowed to appear before the Judges of the Supreme Court, who were the guardians of the honor and purity of the Bar. They were not, he hoped, going to shut the door of the Temple of Justice against this gentleman. Locks, bolts,

and bars should fly asunder to justice. Justice was what this unfortunate gentleman wanted; and he merely asked that the Judges should report upon his case again. If the Judges reported unfavourably, he would then be debarred from practising; but if they reported favourably, and Mr. Smythies was permitted to practise again, surely they would not object to that, or oppose such a thing, nor could they feel sorry if this gentleman, after a full inquiry, were allowed to resume his profession. He would say no more, but express a hope that the Council, with Christian humanity, would temper justice with mercy.

Question put, "That the word 'now' proposed to be left out, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	16
Majority against...					5

AYES.

Mr. Acland,	Lieut.-Colonel Kenny,
Captain Baillie,	Mr. Lahmann,
Colonel Brett,	Mr. Mantell,
Mr. Edwards,	Mr. Rhodes,
Captain Fraser,	Mr. Scotland.
Mr. G. R. Johnson,	

NOES.

Mr. Bonar,	Mr. Paterson,
Mr. Campbell,	Mr. Pharazyn,
Mr. Chamberlin,	Dr. Pollen,
Mr. Gray,	Major Richmond, C.B.,
Mr. Hall,	Mr. Robinson,
Mr. J. Johnston,	Mr. Russell,
Mr. Menzies,	Mr. Stokes,
Mr. Nurse,	Colonel Whitmore.

The amendment was consequently carried.

GOLD DUTIES BILL.

* The Hon. Mr. CAMPBELL, in moving the second reading of this Bill, said he hoped it would receive more favourable consideration than the last Bill they had before them. Its object was to reduce the export duty on gold from 2s. to 1s. 6d. an ounce. He believed that in Otago the feeling was universal amongst the miners that such a reduction should take place; but he believed that in Westland and Auckland there was a division of feeling. However, he did not know that even in those parts of the colony the majority were not in favour of such a reduction. There was no doubt whatever that at the present moment it was a question whether it would be a profit or loss to continue mining in certain parts of the country, owing to the imposition of this duty. Honorable gentlemen might say that it was a rental for the use of the land, but it must be recollected that there were very many other duties imposed on miners besides this export duty. The miners had to pay for their miners' rights at the rate of £1 per annum; and they also had to pay for miners' licenses, registration fees, and for water rights. The whole taxation of the miners amounted to £82,000 a year, which on

16,000 people amounted to £5 2s. 6d. per head; and the gold export duty amounted to 2½ per cent. of the value. The miners, as honorable gentlemen were no doubt aware, had sent a communication to the Premier, from which he would read the following extract:—

"We venture to assure you that, so far from the miners wishing to evade local taxation for necessary works, they are quite willing to pay such equitable rate as may be agreed to by any local government existing, or which may be called into existence, in which they are fairly represented; provided that it is not specially collected from them as a class for the supposititious benefit of the population of all classes in, and to come in during the next few years, their district, county, or province."

In answer to that, the Premier said,—

"Under the new system, which will I hope prevail, each district will have to attend to its own wants; and there are few gold field districts which will be able to afford to dispense with aid from the gold fields revenue, including export duty. I think you will find that, under the Government proposals, the residents, including the holders of miners' rights, in gold fields, will have very substantial powers of self-government. We do not propose to give a power to tax mining property; and the whole of the gold fields revenue, including export duty, which we propose to surrender, will, I think, be too valuable a resource for the gold fields community, after due consideration, to be willing to forego."

That was the proposal of the Government; but since that the Rating Bill had passed the Legislature, and the clause exempting mining property from rates had been struck out. Therefore the miners would be rated under the Rating Act; and, in return for that, he thought the least the Council could do was to reduce the export duty on gold. The whole of the reduction proposed to be made was only 25 per cent. of the present amount imposed, and would not fall heavily on such a rich district as Westland, where thousands of people were now rushing to, or in the Province of Auckland; but it would be a very substantial benefit to the province from which he came. In other colonies, the gold duty had been almost entirely abolished; and he thought they, as time went on, should abolish the gold duty too. He thought this was a proposal which the Council would warmly support; and he hoped the second reading of the Bill would be carried by a large majority.

The Hon. Mr. MENZIES hoped his honorable friend would not be disgusted by his making the same proposal with regard to this Bill as was successfully made with reference to the last Bill. He would now move, That this Bill be read a second time that day six months. He had various reasons for moving this amendment. They all knew that the gold miners had special privileges. They had all along enjoyed an immunity from certain local rates; they had a political franchise given to them on account of their miner's right; and a large expenditure was saved to them by the escort which the Government provided. They also had very expensive roads constructed

to the most populous centres on the gold fields; and, in some cases, railways had been pushed forward. And, more than that, as part of the large scheme of Public Works and Immigration, in some districts very expensive waterworks had been made to aid them in prosecuting an industry which was of a transient character. Now, he thought that, so long as special privileges were continued to be given to miners, they must expect to have to bear some special burdens, and the special burden in this case was not so very onerous after all. It should also be borne in mind that it was probable that, if they lightened the special burden in this case, in accordance with the proposal of this Bill, it was not at all certain that they would be lightening any burden which pressed upon the miner. It by no means followed that if the gold duty was lessened, the miner alone would be benefited by it. He was disposed to think that in most cases it would not be the gold miners, but the gold buyers—the banks—that would gain by this proposal. But independently of that altogether, and upon the other consideration to which he had referred, he thought it would be quite time enough, when the miners were placed upon the same footing as all other settlers with respect to political and other privileges, to release them from this special liability. They knew very well that at the present time the mining interest was a power in the State, and had been enabled to become so and continue so mainly because their representatives represented a class. He had not the least doubt that that had been felt in various Legislatures. He could speak for one at least, in which the power of that class of representatives had involved the Provincial Government in very large and not unfrequently unnecessary expenditure. Now, representatives from the gold fields said they did not desire to be left separate from other settlers; that they sought no special privileges—that they desired to be considered as part of the population. He would say, in reply to that, if such was the case let them withdraw the special privileges which the miners now enjoyed, and then relieve them from special liabilities. In former sessions various alterations had been made in the Electoral Acts, but he did not find that the representatives of mining districts were willing to agree to the withdrawal of the special political privileges which they enjoyed. He remembered very well one occasion, in which the Miners' Representation Act was altered, and there being a difference of opinion between that Council and the other branch of the Legislature. He dared say the Hon. Mr. Hall could recollect that occasion, because a member of the Conference reminded that honorable gentleman of the "*revocare gradum*," and he thought they had found that that anticipation was correct. Then there was another view to be taken of this question. The Hon. Mr. Campbell referred to the declaration that the miners were willing to bear local burdens. Now, under the altered system of things—the new order that was about to be established—he apprehended that this gold duty and all those special gold revenues would become local revenue, so that in fact it would not be a withdrawal of

revenue from a locality for general purposes, but the application of special local revenue to local purposes; and that, he thought, ought to satisfy the mining community. It seemed to him that, if the gold revenue was to be materially lessened, some counties would find it rather difficult to make both ends meet. While moving the amendment, that the Bill be read that day six months, he wished it to be distinctly understood that his great desire was to see the miners rank with the rest of the community, subject to no special liabilities and entitled to no special privileges.

* Mr. BONAR said that, as coming from a part of the country mainly dependent upon gold mining, it might be naturally expected that he would give his support to a motion proposing to relieve the miner from an exceptional tax. But, in the face of the great requirements of the gold fields, and in the face of the large amount of work that would require to be carried out, and for which the gold fields would have to look to the colony, in the face of the altered state of things referred to by the Hon. Mr. Menzies, he could not give his support to any motion which would have the effect of reducing the revenue from this particular source by 25 per cent. It must be borne in mind that, although only 25 per cent. was asked at present, that was but a prelude to the reduction of the whole of the gold duty. What would be the position of a large county like Westland if the whole of the gold duty was abolished? Its position would be simply this: It would be barely able to carry on ordinary business, even with assistance from the Government. In the face of the large population there, with a heavily-timbered country and a large amount of work to be done, in the face of the large amount of money still required to be expended in order to construct and maintain those water-races on which the future success of the gold fields so much depended, they were not in a position to strike off any item of revenue. Some few years ago, a reduction was made in the gold duty from 2s. 6d. to 2s. What followed? The practical result was, that although the gold duty was reduced by 6d. an ounce, a still greater reduction in the price of gold was made by the banks, to whom the whole benefit went. There was a combination amongst the banks, and the price of gold was reduced by 1s. per ounce. Therefore the reduction which was made at that time merely deprived the gold fields of an amount of revenue which would otherwise be available; and when the representatives of the mining districts tried to get assistance for necessary works on the gold fields, it was continually thrown in their teeth that the gold duty had been reduced. If they now struck off a portion of this gold duty, the gold-mining districts would have to come to the Assembly and ask it to make up for the loss. He did not think that was what the mining community desired, and he did not think it would be a desirable state of things to bring about. He maintained that it was impossible for the majority of the gold fields in the colony to do without the revenue coming to them from this special taxation. It had been argued that the miners were perfectly willing to

be rated the same as other people, and desired to be placed on an equal footing with the other settlers. It had been said that as a matter of fact the property of the gold miners could be rated, and was rated, in the ordinary way; but from his own experience he could say that they had tried to rate gold miners, and had utterly failed to do so. The very farthest that they had been able to go was to rate the dwellings—the hut or tent in which the miner lived. As for attempting to place a valuation on a miner's claim, or upon anything of that sort, it was simply impossible to so fix the value as to recover the rates upon it. Therefore, practically the miners were not rated. He had known a very curious case in connection with one of the Road Boards in Westland. The whole of the Board, except one member, paid no rates; yet those were the persons who imposed rates on freeholders in the district. He thought that showed it was impossible to arrive at the same results by direct rating that could be arrived at by levying gold duty. The latter was easily collected, and did not press very heavily upon the miners. No doubt, if the colony was in a position to dispense with it, and at the same time had sufficient revenue to expend on necessary works on gold fields, he would say, Abolish the gold duty. It was special taxation, and he would be happy to see it wiped away. But at the present time the colony could not do without the duty, and therefore he would be forced to support the amendment of the Hon. Mr. Menzies.

The Hon. Captain FRASER intended to support the motion of the Hon. Mr. Menzies, but from an altogether different cause. He considered that this Bill was a popularity-seeking sham. He was totally opposed to the gold duty or to any export duty whatever. He saw no more reason for an export duty on gold than on wool. He wished the miner put on exactly the same footing as other people. Repeal their special privileges, repeal the gold duty; let them pay £1 for permission to mine, but no more. Gold mining in Otago had now become a quiet settled industry. Let them suppose a company possessing one of those reefs, with a capital of £10,000. They might obtain in the year 10,000 ounces of gold, and after paying all expenses probably very little would remain for net profit, and if they took from that 2s. an ounce—say £800, or 8 per cent. on the capital—it might make all the difference between keeping up operations and putting a stop to them altogether. What he would like would be that the Government during the recess should consider the question, and next session bring in a Bill placing the miners on the same footing as other people, and repealing this duty altogether. With reference to the expense of the escort, that was maintained not for the benefit of the miners, but for the benefit of the banks, which ought to be compelled to bear the cost instead of the Provincial Governments. It was only in barbarous countries such as Buenos Ayres that export duties were imposed on the commodities produced; and he hoped some means would be devised for making miners pay rates in the ordinary way.

* The Hon. Dr. POLLEN said that this Bill was introduced in another place by a private member, but in its passage through the House it received the assent of the Government, and he would vote for the second reading of the Bill. He was free to admit, however, that there was a great deal to be said on both sides of this question. In one portion of the colony there was a gold field, with which he had some acquaintance, which will have no other revenue than that derivable from this particular source; and he was aware that this reduction in the duty, small as it was, would be very greatly felt by that community, when it came to depend, as it would shortly, solely upon gold fields revenue for the prosecution of works within the district. He alluded to the Thames Gold Field. He did not know enough of the circumstances of other parts of the colony to be able to say whether or not it would be desirable there to make this reduction. But it was within his recollection that the Otago Provincial Government—as far as he could gather from official sources which were sufficiently clear to give a glimpse of their real sentiments—were themselves not very favourable to a reduction of that duty, and the consequent loss of revenue. However, he saw that this was a question on which a difference of opinion might very well be allowed; and as far as other gold fields were concerned, there were honorable gentlemen in the Council who could speak with very much greater authority than himself.

The Hon. Mr. PATERSON said he had ever looked upon this gold duty as one of the most just and equitable taxes that was ever imposed in this country. The digger, as such, had an enormous amount of privilege granted to him; and this gold duty was the only way in which they could get at him as a digger to compensate for those privileges. The Hon. Mr. Bonar had pointed out a case in which a Road Board was entirely composed of men who did not pay rates themselves, but who were entitled to levy rates upon the rest of the community among whom they lived. He had always, both in the Provincial and General Legislatures, opposed any attempt to reduce this duty, as he had always regarded it as a just and equitable tax. He would therefore vote against the second reading of the Bill.

* The Hon. Mr. LAHMANN would vote for the amendment of the Hon. Mr. Menzies, but for different reasons than stated by the honorable gentleman. They had heard a great deal about special privileges which the miners enjoyed, but had not been told what those special privileges were. He failed to see that the miners enjoyed any privilege for which they did not pay, and pay more in proportion than any other portion of the community. He regretted very much to find that the industry of mining was so little appreciated, and far less understood, by honorable gentlemen who ought to know better, having moved about gold fields for a considerable time. He fully agreed with the Hon. Mr. Bonar that the reduction of 6d. an ounce from the gold duty would not benefit the miners at all, or at any rate not to a sufficient extent to make it desirable that the

duty should be reduced. On the other hand, the Government did not act with justice in declining to abolish the duty altogether. By consenting to the duty being reduced, they acknowledged that it was not an equitable tax, and, in fact, was no more than a just one. When it was considered that the mining community in New Zealand had contributed about a million of money in duty on gold, some idea would be formed of the importance of the industry. Further, it should not be forgot that the individual miner paid far more to the Consolidated Revenue than almost any other inhabitant of the colony. Speaking of the miners as a body, and from his own experience in the then County of Westland, he could say that a community of 15,000 souls contributed more than £100,000 per annum to the Customs revenue; and he said, without fear of contradiction, that there was no part of New Zealand where an equal number of the inhabitants paid so much towards the Consolidated Revenue as the mining community. What were the special privileges the miner enjoyed? He had to pay not only for his miner's right, but also for all that was done for him to get justice in the Courts. If he wanted surveys made, or if he applied for other rights, he was obliged to pay very high. What was it made the miner reluctant to contribute the ordinary taxes but these duties? He said, "I am taxed already exceptionally and sufficiently. The mining community of the colony pays more than any other section, and why should I be taxed any more?" He had himself experienced, as County Chairman in Westland, how difficult it was to collect taxes from the miners, but the reason given was always the existence of this duty. Honorable members said they wished to maintain the gold duty in order to supply funds to meet the great requirements and wants of the gold fields, including water-races and so forth; but he would ask those gentlemen, did the miners expect to enjoy the privilege of getting water for nothing? Whenever the miners obtained supplies from water-races they paid for them, and paid very dearly. Therefore that argument would hardly hold good. He would vote against this Bill because he hoped and expected that the Government would think it just and desirable to bring in a measure to abolish the duty altogether. When that was done the miners would willingly contribute their fair share of taxation, in the same proportion as other sections of the community were bound to do.

* The Hon. Mr. CAMPBELL would like to correct a misapprehension which the Council might have fallen into in consequence of the remarks of the Hon. Mr. Menzies. The honorable gentleman said the miners were specially privileged in regard to voting. As far as that went he agreed with the honorable member, and he hoped that inequality would ultimately be remedied. But that was no reason why the miners should be taxed in this particular way. The honorable gentleman then said that the miners had their gold brought down free. Well, the total cost of the transport of gold in the Province of Otago was about £200. He also said that they had roads and railways made for

them. Other portions of the community had roads and railways made, and why should not the miners? It was no argument whatever to say that because roads had been made to the gold fields, therefore the miners should be specially taxed for them. The honorable gentleman had a road and a railway not far from where he lived, and he would object to be specially taxed on that account as against those who had a similar road and railway. Then the honorable gentleman argued that this reduction would not benefit the miners, but that the banks would get the advantage of it. He must be aware that, with so many branches of banks on the gold fields and so much banking competition as there was at present, the very utmost price was given for the gold. If what the honorable gentleman said was true, it would not hurt to put another sixpence an ounce duty on the miners, because then the additional sum would come from the banks. They might rest assured that gold, like every other commodity, brought its full value, and that, with the competition which at present existed, the banks, merchants, or whoever purchased, paid the utmost price. He was assured some time ago by a banker that the only advantage banks derived was an increase of their circulation, and he believed that was the case. He was much pleased to hear the speech in which the Hon. Captain Fraser advocated the reduction and abolition of the duty, but could not account for the action he proposed to take in voting against the Bill when he certainly spoke very strongly in its favour. He hoped the Council would read the Bill a second time.

Question put, "That the word 'now,' proposed to be omitted, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	3
Noes	...	...	...	...	21
Majority against	...	...	...	...	18

AYES.

Mr. Campbell, Mr. Scotland.
Dr. Pollen,

NOES.

Mr. Acland,	Mr. Mantell,
Mr. Bonar,	Mr. Menzies,
Mr. Chamberlin,	Mr. Nurse,
Mr. Edwards,	Mr. Paterson,
Captain Fraser,	Mr. Phrasyn,
Mr. Gray,	Mr. Rhodes,
Mr. Hall,	Major Richmond, C.B.,
Mr. G. B. Johnson,	Mr. Russell,
Mr. J. Johnston,	Mr. Stokes,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Lahmann,	

The amendment was consequently agreed to.

The Council adjourned at a quarter to five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Monday, 9th October, 1876.

First Reading—Third Readings—Abolition—Tampieri Burial-ground—Telegraph Station at Upper Moutere—O. Phillips—Sir J. Vogel's Mission to England—Abolition—Financial Statement—Financial Arrangements Bill—New Zealand Loan Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Waitara Harbour Board Bill.

THIRD READINGS.

The Wellington Debts Bill, the Attorney-General's Bill, the Public Trust Office Bill.

ABOLITION.

Major ATKINSON.—I have the honor, by direction of His Excellency the Governor, to lay on the table a copy of a letter addressed to His Excellency by Sir George Grey, the Superintendent of Auckland, covering a telegram to the Secretary of State for the Colonies; and I move that the documents be read.

Mr. STOUT.—I should like to know why the usual course should be departed from in this particular instance. I consider that it would be a dangerous motion to pass, as the result would be that all Government papers laid on the table during the session might be read. I do not know why this motion has been made, and I would ask the Premier to state his reasons for asking that this correspondence should be read. I know not what his object is in making this motion, unless he means that we should do no other business to-day than discuss this correspondence.

Sir G. GREY.—Before the correspondence is read, I would like to ask if any discussion can take place upon the correspondence after it has been read?

Mr. SPEAKER.—The question will have to be put, that the correspondence be read. Any honorable member may speak upon that question. Motion agreed to.

The CLERK read the correspondence, as follows:—

Sir G. GREY to His Excellency the GOVERNOR.

"Wellington, 7th October, 1876.

"MY LORD,—I have the honor to enclose, for your Excellency's information, copy of a cablegram which I am just transmitting to the Right Hon. the Secretary of State for the Colonies, London.—I have, &c.,

"G. GREY,

"Superintendent of Auckland.

"His Excellency the Governor."

(Enclosure.)

Sir G. GREY to the Right Hon. the SECRETARY of STATE for the COLONIES, London.

"Wellington, N.Z., 7th October, 1876.

"Urgent.—I dutifully refer to my letter 5th June last. Government determined to enforce Abolition Act without consulting Provincial Legislatures, and against wish of provinces con-

taining more than one-half white population of colony, two-thirds of Natives included. Disturbances imminent. Some threaten employment Queen's ships. I earnestly pray telegraph to prevent disturbances. Abolition Act should be disallowed, if Provincial Legislature not consulted.

"G. GREY,

"Superintendent of Auckland.

"Right Hon. Secretary of State
for Colonies."

Mr. STOUT.—Would it be open to me now to move that the statement be printed? If so, I have much pleasure in moving, That the telegram and letter covering it, which have just been read, be ordered to be printed. In doing so, I desire to point out the peculiar course which the Executive of the colony has taken in regard to this matter. There was another correspondence which passed between His Excellency the Governor and another Superintendent, and I would like to know why the Governor has been advised to send the one correspondence to this House and not the other. Of course, no members of this House will be allowed to criticise the actions of His Excellency the Governor, because he only acts by the advice of his Ministers. Therefore, in criticising the action of the Governor, we are only criticising the action of His Excellency's Advisers. I think it is an extraordinary course for the Advisers of His Excellency the Governor to adopt. What have they done? There has been a correspondence going on between His Excellency the Governor and the Superintendent of Otago. In that correspondence there appears a memorandum signed by the Premier. The statements in that memorandum are, I think, peculiar. I shall not use a harsher term than to say that the statements are, I think, peculiar. That correspondence afforded a discussion in this House as to the accuracy of some of the statements contained in that memorandum. That correspondence is carefully kept from the House; that correspondence will not appear in the records of this House. How does it happen that the Governor, having had a correspondence with two Superintendents on one and the same subject, elects to send to this House the correspondence of one Superintendent and not that of the other? I say it is peculiar tactics for the Government to adopt. The Government then take this further unusual course: They ask that the correspondence between the Governor and the Superintendent of Auckland should be read. On the reading of the correspondence, the Government and their supporters seem to indulge in laughter, as if it had been done with a view to creating some amusement in the House. I cannot understand the action of His Excellency's Advisers. Do they mean to say that their own memorandum addressed to His Excellency is not fit to be laid on the table of the House? Why is it kept back from the House? what is the meaning of it? Then we have also this memorandum, this copy of a telegram which was sent to His Excellency the Governor by the honorable member Sir G. Grey out of courtesy to His Excellency. It is sent down to this House without a word of explanation, or any intimation of the

steps which Ministers intend to take with reference to it; or whether they agree with the statements of his Honor the Superintendent of Auckland or not. I would like to know whether they have considered this question from a constitutional point of view, and whether they do not think now that it is desirable that the Provincial Legislatures should have been consulted in this matter. I had a right to assume that they sent down this telegram to the House in order that it might take action in the direction of allowing the Provincial Legislatures to be consulted. That is the only meaning I attach to this telegram being brought down to this House. I would like to know why they did not advise His Excellency to send down the correspondence between the Superintendent of Otago and His Excellency? I would like to know whether they intend to consider the constitutional position of affairs; and whether they do not concur in the advice given in the telegram to the Secretary of State? I have only to say that this House should be thankful to the Superintendent of Auckland, Sir George Grey, for the action he has taken in this matter; I think it is proper action to take. If constitutional views had been adopted, the Provincial Legislatures would have been consulted before any action was taken. That is what would have been done in any other country. I ask the Government to point out one single instance where legislative powers have been taken from any Legislature without that Legislature being first consulted. I move, That the correspondence be printed. I am glad that the correspondence has been laid before the House. I know not why the correspondence with Ministers has not also been laid on the table. I am only to suppose that the Government are rather ashamed of the correspondence, and that that is their reason for not bringing it before the House.

Mr. REES.—It is too late in the day for any one to feel surprise at any action taken by the Government, otherwise I should have felt surprised at their action in thus bringing down this memorandum from His Excellency the Governor, or of course from themselves; for we know what that means. Why has that been put before the House, and not the correspondence with another Superintendent, as alluded to by the honorable member for Dunedin City? Why has the correspondence not been laid on the table in relation to the Otago matter, as well as the Auckland matter? I am not at all surprised at anything the present Ministry may do in relation to the matters which are now agitating the country, or in relation to the steps which may be taken by members of the Opposition, especially the leading members of the Opposition, in regard to this matter. I noticed that when this letter was read, several honorable gentlemen laughed. I have noticed the same thing on several occasions. Perhaps the Ministry, for instance, can afford to laugh, and several of their supporters. I do not think they will find it any laughing matter before any length of time has gone past. There are no men so blind as those who will not see; and the members of the Mini-

try and their supporters are prepared to laugh at anything which indicates a spirit of resistance on the part of the people to any high-handed measure attempted to be carried through by the Government of the colony. If they were not purposely blind, if they did not close their eyes on purpose, they would see the signs of the times. Can it be said by the members of this House that they do not know that the people of a great portion of the colony are mutually preparing to resist the measures which the Government are carrying through? Honorable members will find it no laughing matter. Those who ought to know better are determined to carry out this course of proceeding in this Assembly. I believe one-half of the honorable members and the Ministers themselves know better the state of the public feeling, and yet, notwithstanding their serious misgivings, they are attempting to carry this thing through by simple bravado. The Ministry and their supporters are determined to carry it through with a high hand, irrespective of the consequences. This is not the first time in history that such a thing has been done, and I suppose it will not be the last time. Any person who has carefully examined this matter and observed the position of affairs will not say that this is a laughing matter. He will see that the credit of the colony is at stake, that its financial position is very critical, that the colony is in the throes of a new birth. How any honorable member could dare to laugh at these things, how the members of the Government could dare to laugh when messages like these are sent down by His Majesty's representative in this colony, is something more than I can understand. Is it to be supposed that when men of position, men whose names are known where the names of members of the Ministry have never been heard of, men of European reputation, take upon themselves to peril their reputation by statements such as this, the representatives of the constituencies here are to presume to laugh at them? It is the height of impudence. It is of a piece with that impudence and ignorance combined which would prompt laughter when serious matters of this kind are being treated of. If this were treated as a matter of serious importance, and with due consideration for the circumstances surrounding, and if these papers were brought down for the purpose of inquiring whether there was any truth in the statement or not, it would be a different thing. But when the Premier presents to the House papers like these in such a way, his only intention is to attempt to cast ridicule on the honorable member for the Thames. That is the only object; and I challenge the Ministry to say whether they have any other object in view in laying these papers before us, except to cast ridicule upon the honorable member for the Thames. Every member of this House knows that that is their only object; and every member who is foolish enough and ignorant enough to laugh when such a paper is tabled, shows that he is perfectly prepared to follow the lead of the Premier and his fellow-Ministers. But if honorable members will only look at the state of affairs,

they will see that there is very little to laugh at in this matter. We have had within the last few days a correspondence between the Superintendent of Otago and the Governor—of course the Governor, as shown in the memorandum of the Premier, means the Ministry—we have had that correspondence published in the newspaper press of the day; and what does it show? It shows, on the one hand, that there is a wide-spread feeling of disaffection and discontent in the great Province of Otago; and it shows, on the other hand, that Ministers are not beneath stating that which is not true in relation to public matters, in order to fortify their own case. When we say that such is the case, is it a time for laughter? We know that men have laughed, and have shown no wisdom, in great constitutional crises like this, by laughing at all warnings; but it seems to me that such a matter should be treated with the greatest gravity. I wonder Ministers have not laid the memorandum of the Superintendent of Otago on the table, and thereby shown what is the united voice of more than half the community of this colony. It seems to me that it is discreditable to representative institutions that Ministers and their followers should laugh on such an occasion as this. The Provinces of Otago and Auckland together comprise within themselves more than half the European inhabitants of the colony. There is no deficiency of intelligence in them; there is no want of courage; they lack nothing that would make them good citizens; and when, through their representatives and through their Superintendents, they take a stand like this, is their expression of opinion to be made a subject for mockery by this House?

Mr. MACFARLANE.—I object altogether to the honorable gentleman stating that it is the united voice of the people of Auckland. I beg to tell him that it is not so.

Mr. REES.—I can quite understand the honorable member for Waitemata saying that; but I tell him that, if he went back to his constituents to-morrow, he would not be re-elected to this House. I myself would undertake that; and so it would be with the majority of Auckland members, including the honorable member for Waikato himself, who oppose the action we are taking. It would be just the same thing with some of the Otago members. It seems to me that some men are so wrapped up in their own private interests, and in attempting to get what they can either in their own persons or for their friends, that they lose sight altogether of the interests of the country in the matter, and seem prepared to set at naught or laugh at all serious matters, and care nothing whether it leads to resistance and bloodshed so long as their own object is carried out. I would ask you, Sir, as a reasonable man, after the years of dissension we have had, and when there are two strong parties speaking as they do and acting as they do in this House, whether it is a safe position to take up to cast ridicule in this way upon people who are only carrying out their earnest convictions—whether it is safe to do so for the Constitution of the colony or the interests of its people? I noticed that, when a portion of that telegram was read which stated

that members of the Government and their supporters said that Her Majesty's ships should be used, Ministers and their followers laughed. But I have heard members of this House say so, and there is not a member now present who has not heard it; and yet, when the fact is brought before the House, it is to be laughed at! I believe the mail which comes in to-morrow will bring correspondence that will surprise Ministers. I believe it will bring letters to the Governor, which, to some extent, will surprise them. Whether it be so or not, members of this House and the Ministry may rest assured that the people of Auckland and Otago are in that state in which it is not safe to laugh at them. And the constituents of the honorable member for Waitemata will be found just as bad as any others, just as excited about these matters, and just as ready to show that they are quite prepared to peril a great deal in defence of what they consider their rights. I live in that district, and the honorable member who represents it does not, and I know more of the feelings of the people there than he does; and I say that the feelings of the people there for a considerable time past have been so worked up that they are ready to peril all in defence of their rights and privileges. Any men of sense—if we could accuse Ministers of having sense—must know from the public meetings which have taken place what are the feelings of the people. In days gone by, when the American States were on the verge of revolution, exactly the same arguments were used, and the same steps taken by the English Government as have been taken by Ministers here, and those who reasoned with them and warned them of the result were simply laughed at. But when George Grenville went out of the House after the repeal of the Stamp Bill, he was hissed by them, and he found it no laughing matter. I venture to say that before many months have passed, every member of this Ministry will be hissed by the people, and those very honorable members who now support them will turn round upon him and say, "How foolish you were not to see the signs of the times!" There is on this side of the House a well-founded conviction of right, but I ask is there on the other side?

An Hon. MEMBER.—Yes.

Mr. REES.—I would ask the honorable member who says "Yes," how he can show that it is so. If it be to get great power into their hands, and to obtain great possessions of land from the Government, I can understand it. That is the principle which attracts them. If it be to obtain large expenditure of public money in various districts, I can understand it. If it be to obtain grants of public money, or lucrative employment, I can understand it. But the principle which aims at the public good, looks to the public interest, and which endeavours to build up on true foundations public feelings and nationality—I should like to know where that exists upon the Government benches, and amongst the ranks of their supporters? That is a question you might ask from this to next year and get no answer. And when the Superintendent of Otago and the

Superintendent of Auckland put by everything, to come here and attend to the duties of the country, they are laughed at because they aim to divert disturbance from the Colony of New Zealand. I hope this paper will be printed, because I look forward to a time, not far distant, when there will be a great revulsion of feeling in regard to all these matters. I see a not far distant time when the party now in power will be turned out of office ignominiously; when they will find no one, either in Wellington or in any other part of the colony which now supports them, ready to place confidence in them. The results of public meetings show this even now. This Counties Bill is already causing confusion throughout the country; their Financial Arrangements Bill will be worse; and their whole measures show how ignorant they are of true constitutional government. There is nothing more than that from beginning to end; and as I have before pointed out, the farther they go the worse they will get, and the deeper they will sink in the mire. This is but one step in that direction—this attempt to cast ridicule upon the honorable member for the Thames, when he is endeavouring to do that which is his duty; that which every man who knows anything about the matter feels to be his duty; that which every man whose eyes are not fixed upon things immediately before him, and that are solely for his own interest, must know to be his duty. Men who can forecast the future, and see the effect of all these things upon the colony, will see that the steps taken by the Superintendent of Auckland and the Superintendent of Otago were the only steps that could be taken consistent with the dignity of this country and the safety of its people. I am astonished at those honorable gentlemen bringing down this document in this way, because, like the engineer, they will be "hoist with their own petard," and it will show how little they can read the signs of the times, or see the hopes, and feelings, and purposes, and fears of the great mass of the people they are supposed to govern. The Government sitting upon those benches are but the wreck of many Ministries, the refuse cast up by a little eddy, allowed to stay there for a time, held there by persons who, forming a majority of the House just now, wish to have this abolition carried into effect—placed there for a time; but, directly that is accomplished, they will melt away, and like the snow-flakes on the river, will pass away, leaving no trace behind—except, indeed, a trace of evil on the history of this country. I feel certain that more than half the inhabitants of this country will echo the statements in the telegram sent Home by Mr. Macandrew and Sir George Grey. Nearly all the people would, I believe, be glad to see the whole government interfered with, so as to prevent the disturbances which are imminent through the conduct of the Ministry. I sincerely trust this paper will be printed and remain upon the records of the House as a monument of the foresightedness of the honorable member for the Thames, and of the folly of Ministers in pursuing the course they have entered upon.

Mr. MACFARLANE.—The honorable gentle-

man has repeated over and over again that the united voice of the people of Auckland is in favour of Provincial Governments. If the honorable member does not know, he ought to know that at the recent elections three-fourths of the people were pledged against Provincial Governments, and in favour of abolition. I might refer even to the speech of the honorable member for Rodney, who said then that Provincialism was done, and that abolition was an accomplished fact. Provincial Governments cannot be re-established. I was in favour of them at one time, but now I regard them as having passed away. I have been accused of changing my opinions; and the honorable gentleman has challenged me to go before my constituents. All I have to say is, that if he will resign I will resign at once.

Mr. REKS.—I will do so to-morrow.

Mr. MACFARLANE.—Agreed. Let it be done to-morrow.

Mr. SHEEHAN.—If the honorable member for Waitemata resigns, I can guarantee him that his eloquence will startle this Assembly no more. The honorable gentleman obtained his seat here by professing to be a thick-and-thin supporter of Sir George Grey; and had it not been for Sir George Grey's support and influence, he would never have seen the inside of this chamber. He might have come before this House as a petitioner, but he never would have made his appearance here as a member. The honorable member has referred to me more than once in uncomplimentary terms, and has to-day brought my name up in an unwarrantable manner. He has referred to me as having given pledges I have not kept, and has garbled the newspaper report to give his statement the semblance of truth. What I did tell my constituents was, that I would not vote for Provincialism as it existed in Auckland, with an empty treasury and the Government unable properly to fulfil its functions; and, upon being pressed for a further explanation, I said that I would vote for an alternative form of government, which should consist either of four provinces or two colonies. The honorable member ought not to attempt in this manner to snatch a judgment from this House against me. Not many days ago the honorable member referred to me in a particularly offensive way. I made a statement in moving a motion with reference to works in the North of Auckland, and he said he could support it because it was not one of those reckless statements I usually made. Sir, when I have anything to say I say it in this House, not in the lobbies. I am not a log-roller; and I hope the honorable member will not continue this mode of attacking me, because, as long as he does, I can assure him I will give him a Roland for his Oliver. I remember that, when the seat for Waitemata was in the market, the honorable member was amongst the staunchest possible Abolitionists, who held that Sir George Grey was either a knave or a fool; but as soon as that gentleman and his friends became candidates, they were prepared to cast abolition to the winds. From that moment they would do anything that Sir George Grey wanted them to do. My honorable friend the member for Waitemata, to save his seat would

have been proud to have become a messenger in the Provincial Government Office. With respect to the question before the House, I think that when the Government sent down the telegram now before us they ought also to have sent down the correspondence that took place between His Excellency the Governor and the Superintendent of Otago. It may have been intended to create a laugh at the expense of the honorable member for the Thames, but I have myself heard threats to the effect that if the people of Auckland and Otago refused to carry abolition into effect, Her Majesty's ships would be sent to carry out that purpose, and that gentlemen would be sent from an insignificant spot on the shores of Cook Strait to see that the purposes of the Act were properly fulfilled. Those gentlemen may come; but will they ever return? If the people of Otago and Auckland, in the belief that this Act is *ultra vires*, make up their minds to resist it, I would recommend those gentlemen residing on the shores of Cook Strait to stay where they are, and mind their own business. The chances are that, if they do not, they may not have an opportunity of coming back to attend to it afterwards. I do not say that all right is on this side of the House; there may be right on both sides; but I do say that any Government which proposed to make such a radical change as this should have seen its way to make everything clear from the first. Their neglect to do so was criminal; and if it should happen that the people of Auckland take up a position of hostility to the Abolition Act, and prevent it being brought into force, I say that all the blood that may be shed, or the disorder which will arise, will rest upon the heads of Ministers who have for two years past neglected to obtain that advice and those opinions which would have made clear the powers and functions of this House. The honorable member for Auckland City East has referred to the case of America, where warning after warning was given to the then head of the English Government—Lord North, I think it was, who was not like our Premier, because he had a tendency to go to sleep in the House—and what happened? Why, Sir, a most powerful revolution succeeded. That was a strong case in point; but we have also the case of the French Revolution. And how was that brought about? Representations were made to the Government time after time as to the point at which the feelings of the people had arrived, but nothing could convince Ministers that a revolution was at hand. They laughed at the idea—but four or five years afterwards the head of the King of France dropped from the guillotine. I do not anticipate anything of the kind here, but I know this much, and the Ministry must admit its truth, that if a large section of the people of Auckland and Otago say, "We defy you to put the Abolition Act into force," they dare not attempt to do it. Now, how much stronger would the Government have been if they had shown that they clearly had the power to bring this Act into force! If they had taken these steps we should have been compelled to submit, though we might not have thought it the best thing that could happen for

the interests of the country. But, as the matter stands now, when it is an open question as to whether the law is good or bad, the people may reasonably refuse to obey it. I do not regard the question as settled at all, and the people themselves have reason to believe that it is not settled. It is not a matter to boast of, because it will be a thing that we should all regret that there should be resistance to law or authority; but if there should be resistance, the whole responsibility will rest with Ministers. They have not used ordinary precaution. Step after step has been neglected, and the people have been led into a position which they recognize to be a very serious one. I should like to have seen the correspondence between His Excellency the Governor and the Superintendent of Otago printed along with this despatch, and, if it is competent for me to do so, I will move an amendment to that effect.

Mr. SPEAKER.—I do not think it is competent for the honorable member to propose such an addition to the motion, as the House, as yet, has no official knowledge of the existence of that correspondence.

Mr. SHEEHAN.—I asked for your decision, Sir, because I was in doubt; but I think Ministers would only do what is right and proper if they produced that correspondence, as they have already laid on the table the paper forwarded to the Governor by Sir George Grey.

Mr. THOMSON.—When the House met on Friday at half-past seven o'clock, we were all anxious to hear the supplementary statement of the Treasurer. We were on the tiptoe of expectation. The galleries were full, members were in their places, and then, instead of giving us the statement, the Government went on with the Counties Bill. I think they ought to have known that there was debatable matter enough in that Bill to occupy the whole evening, and it appeared to me at the time that the Treasurer was not prepared to go on with the statement: either he was not ready, or the clerks had not the figures prepared. And what do we find this morning? We are all anxious to hear this great Supplementary Financial Statement. The Committee of Supply stands first on the Order Paper, but instead of the statement, a Minister lays on the table a correspondence of a very debatable character. He is not satisfied with merely laying it on the table—he moves that it be read, in order that members may have certain things forced on their view. I do not think there is one member of the House, even amongst those supporting the Government, who did not think it strange that the correspondence between His Excellency the Governor and the Superintendent of Otago has not also been brought down; so that it appears to me that this motion is made for the purpose of inducing discussion and occupying the afternoon sitting. The galleries will be much fuller in the evening, there will be a number of ladies present, and it is much easier to speak in the gaslight. It seems as if these documents were tabled to fill up time until the usual adjournment at half-past five.

Major ATKINSON.—Sir, my honorable friend

does not give the Government credit for ordinary ingenuity. If I had wanted to speak at half-past seven o'clock instead of in the afternoon, I should have fixed that hour as the time for going into Committee of Supply. I was, as the honorable gentleman very well knows, quite ready to make my statement on Friday night, and it was only because the Counties Bill occupied more time than was anticipated that I was prevented from doing so. If the honorable member for Clutha thinks that I kept my statement back purposely, he is quite welcome so to think. With regard to the matter now under consideration, I have to say that I should have thought that the reason why the Government followed this course would be perfectly clear. The reason was, that his Honor the Superintendent of Auckland has thought it necessary to set aside all the regulations relating to communications with the Secretary of State, laid down for the guidance of officials in this colony, and to transmit direct to the Secretary of State a communication which was apparently of the very greatest importance; and the Government have immediately brought that statement under the notice of the House. I may state that, immediately I received these documents, I thought it my duty to lay them on the table of the House. It has never even occurred to me that anything the honorable gentleman could write would bring him into ridicule. I thought he wrote everything in serious earnestness, and consequently I laid the papers on the table for the information of the House, and asked that they should be read. If the statements made in the document are truths, the Government would be greatly wanting in their duty to the country and to the House if they did not at once produce the document to the House. The Superintendent of Auckland states in his telegram that dangers are imminent; and if that be the case, it was our duty to bring the matter immediately before the House. If honorable gentlemen opposite wish to discuss the question, let us appoint a day when it shall be taken. I say that I was bound immediately to bring the matter before the House. The reason why there have been no telegrams between His Excellency the Governor and the Superintendent of Otago laid on the table is that we are not aware that any such telegrams were sent. The correspondence between the Governor and the Superintendent of Otago was not laid on the table, because it may not yet be complete, this did not matter, as it was made public at the request of the Superintendent. The present correspondence, however, could not be published unless it was brought under the notice of the House in the ordinary way. I do not believe in the truth of the statements made, and I do not consider that the correspondence requires the immediate consideration of the House; but, if there are honorable gentlemen who do believe in it, I have given them an opportunity of immediately bringing it under the notice of the House, and of taking any steps they may think necessary in regard to it. I may say that immediately this question is settled, I shall make my Supplementary Statement.

Sir G. GREY.—Sir, as I am deeply interested in the matter before the House, perhaps the House will hear a few words from me in regard to it. I am dissatisfied with the course the Government has pursued. The Hon. the Premier has just made a statement to the House which I think he said would be palpable to everybody; but I do not think any statement so calculated to mislead has ever been made. He says that it was the duty of the Government to produce these documents at once to the House; and he says that he has done this with no intention of casting ridicule upon them. Now, I maintain that he has not stated the fact. Any one who observed his manner, and that of his colleagues, when he brought down the correspondence, must have seen that what he has stated was not the fact. I have never heard a more wanton statement than that which has just fallen from him. If he wished to proceed with this matter, as he says he did, he would not only have laid the correspondence on the table, but he would also have indicated the course the Government intended to pursue in reference to it. It is quite true that he intended to irritate and provoke the people to the disturbances that are likely to take place, and to throw the fault upon the unfortunate persons whom they will have forced into them. No more cruel and wicked system of policy could be pursued by any Government than that. Now, Sir, let me tell the House that they are likely to be misled altogether by the remarks which have been made to them on this subject. The honorable member for Waitemata, I believe in perfect good faith, made remarks which also may mislead the House. He stated that three-fourths of the inhabitants of the Province of Auckland were opposed to the provincial system, and he proceeded to allege certain facts in proof of that assertion. But, Sir, the facts which he alleged, rightly considered, prove the direct contrary. It is true that a large portion of the population of the Province of Auckland were opposed to the provinces as they existed at the commencement of this session, despoiled of all revenues, and with every just power taken away from them. That they certainly were opposed to. But let anybody consider what took place when it was proposed to give to the Province of Auckland separate life, and the revenues to which it was entitled. Think of the public feeling and enthusiasm which were then evoked, and let anybody say that the Province of Auckland did not wish to exist as a separate province. The honorable gentleman knows as well as I do that such is the desire of the people of Auckland, and he should not stand up and state anything to the contrary to this House. Now, Sir, I submit that I have done my duty in sending the telegram I did send to the Secretary of State; and let me point out to the House this fact, that the Government have never dealt fairly with the House or the country in reference to this matter. They are quite willing to publish anything sent to them upon which they think they can cast any slur or ridicule, or be able to point out the very slightest mistake; but they never publish, nor do we ever see, the letters sent by the Governor to the Secretary of

State. We are never told what steps His Excellency takes in reference to communications so made. I say that the Governor ought never to have sent that telegram down here—if it has come down with his consent—without at the same time stating what his reply to it was. I say that if he has been guilty of such a transaction he deserves the condemnation of this House. We have been told that we ought not to speak of the Governor in this House; and the other day the Premier and the Minister of Justice sprang to their feet and caused a flutter and sensation amongst the chickens of the Ministry as if a hawk had been swooping down on them, because I dared to mention His Excellency's name; and you, Sir, called me to order. But I was right in what I did. I say that the Government have been casting a great cloud over this country. The provinces know nothing of them as a Ministry. There is no law, no custom of the Empire, no custom of our race, which says that where there are separate Legislatures, possessing the powers which the Provincial Legislatures do, and a Governor possessing the powers which the Governor does possess in regard to them, that there is any power which can be set up in opposition to those powers. I laugh the Ministry to scorn. What are they to me? Members for petty constituencies—some of them having no right to sit on those benches at all, Civil servants taken and pitchforked into office—how can they stand between me, as Superintendent, and the Sovereign, or between me and the Governor of this country? If the Governor goes astray on their advice, it is no excuse for him that they have advised him. The honorable member for Egmont may laugh. He may try to drive his countrymen on to bloodshed as he has been doing for some time; but, Sir, due punishment will yet be visited on his head for the course he has been pursuing. He laughs when I state that threats have been used, but he knows that threats have been made even by his own followers. He believes that himself; and those Ministers are to acquire, unlawfully, vast possessions through the course he is helping them to follow out. He knows that they will get those large possessions, and he knows that no proper investigation will be made into the circumstances. In my hand I hold a *Gazette* issued on the 5th instant, and signed by Daniel Pollen, another Minister, in which they offer for sale some seventy sections of land, some of them at £5 an acre, in the neighbourhood of the Piako Swamp, to which they had given a title to another Minister. I ask, was anything worse than this ever known? But I tell them, Sir, that myself and others are acting rightly in attempting to get the Home Government to put an end to transactions of this kind—to prevent them from being carried out and completed. I shall never cease to try to prevent this sort of thing being done. Sir, this is a great question. They may laugh. They may have their followers using language such as those behind me in this House on one occasion recently used. A friend of mine was speaking, and saying nothing improper, when one of their most violent followers said, so that I could hear him, "We

will have five or six of them hung." That was the language used. They may laugh at so irritating people, and may turn that into matter of jest; but speeches of that kind are not made and cannot be made without provoking feelings of irritation in members' minds—speeches made in passion, speeches made in earnest, speeches made as showing the sentiments which lurk in the minds of those who are attempting unjustly, by the aid of this Ministry, to acquire large tracts of public land to which every one of Her Majesty's subjects has the same right as themselves. I say the Governor has not done his duty to the provinces in this matter. I speak of him boldly, by his name, Sir.

Major ATKINSON.—I rise to a point of order. I ask whether the honorable gentleman is right in using His Excellency's name.

Mr. SPEAKER.—I think the honorable member is not in order. If the honorable member will permit me, I will give to the House my view. I think it does not belong to us, according to parliamentary usages, to refer directly to another branch of the Legislature, either the Governor on the one side or the Legislative Council on the other. We have here persons representing the Government of the country, and it is for them to accept all responsibility. I will further add, I can see no advantage whatever in speaking directly of those who are not here to defend themselves; and I believe that it is upon that principle that the ruling I have given rests.

Sir G. GREY.—Your ruling, Sir, divides itself into two parts. The latter part I will consider presently. Upon the first, I still, as a subject of the Queen, hold that these Ministers are unknown to the Constitution of the country. They are not responsible. We cannot impeach them as Ministers can be impeached in England. We have no hold or control over them. We have no power over them such as is possessed by the English Parliament. We have a right, as a free Assembly, to determine what system of government we will have. We have a right to determine what course we will pursue in reference to the Ministry. There is no analogy between ourselves and the Parliament of England. And, Sir, I say it is easy upon the other hand, in reverting to the second part of your argument, to say that a person not present to defend himself should not be attacked; but if the person lends himself to an act such as has been performed this day, then, Sir, I say I have a right to speak upon that act, and upon its consequences, as far as the welfare of the people of this country is concerned. I say, Sir, that for ourselves there is no hope, if the Prime Minister is allowed to act as he is now going on. His conduct throughout the session has been often most insulting to members, and such as I believe no Minister of the Crown ever dared before to adopt in his place in Parliament, when we were pursuing a most proper course, and everything has been done to irritate us to that resistance which is likely to take place if the Governor puts himself in the hands of persons who treat us as we have been treated to-day, by this document being brought down. I have the right to speak of the Governor by his name. If

the Governor had sent down a message, enclosing papers, to the House, with a recommendation that anything should be done, it would have been a proper course. But he places in the hands of a Minister, who has often insulted me in this House, a paper with no recommendation at all, but with the evident purpose, as was seen by the laughter of the Premier and of his colleagues, to add insult to the insults already offered to me. I say the Governor who does that, I have a right to speak of by his name. If not, our liberties are entirely gone. As it is, our lives are threatened. They may say what they please, the Ministry may pretend to deny the fact, but they have indirectly given their friends to understand that force will be used against the people of this country.

Major ATKINSON.—It is absolutely without foundation.

Sir G. GREY.—I can simply say that their friends make statements of that kind, and there are members here to bear me out in that. Ministers have at least taken no pains to stop that belief; they have given no denial. I wrote to the Governor of the colony in April last, bringing this subject under his notice. They have suppressed the statements they made to the Secretary of State upon that subject. Everything we ought to have known with regard to this point they have withheld from us. It is my duty to state to the House, and to the country, and I do it with sorrow, that I believe disturbances are imminent. I believe, if the people have the least sense of what is their right and due, they will resist to the death the attempts made to take from them all which men value. Believing that—I cannot believe otherwise—disturbances must result from the course which is being followed, I communicated that to our Sovereign. I know that the truth has been withheld from the Queen by the Governor. I use his name: the Governor has withheld from his Queen the truth with regard to the state of affairs in this colony.

Major ATKINSON rose to order.

Sir G. GREY.—There is nothing out of order in that. A despatch was laid upon the table. We have a right, if from our Sovereign that knowledge is withheld which is likely to imperil our lives and properties, to complain. Am I not to complain that that knowledge has been so withheld? I say, Sir, again distinctly,—

Mr. SPEAKER.—The honorable member will allow me. I wish I could convey to the honorable member and the House my view. It would not be becoming in me—if I made an attempt the House would not support me—and I should be unworthy the position I hold, if I in any way attempted to prevent an honorable member from expressing his opinions or making any complaint. I do not do so. I take exception to the method in which they are brought forward. It has been the usage, whether wisely or unwisely, since the House of Representatives has been in existence, to treat responsible Ministers as responsible Ministers. We have attempted to imitate—very imperfectly, I admit—the usages in a constitutional way adopted at Home; and, so long as I am in the position I now hold, I will

endeavour to follow that course. I hope the honorable member will not think for one moment I would prevent an honorable member giving the utmost utterance to his opinions—I would be one of the last men in the colony to prevent that; but I take exception to his mode of doing so. It is unusual to make direct reference either to the Governor who governs this colony as Her Majesty's representative, or to the Legislative Council; and I endeavoured to give just now the reason and ground of such ruling. It is manifestly inconvenient to do so, in the absence of the persons who would be spoken of, when there are persons here whose duty it is to be responsible for all such matters. Whilst I am upon this subject, may I be permitted to recommend to the House an arrangement which would prevent some of the unpleasant results that have ensued from remarks made *sotto voce* by members disagreeing with others? I was shocked when I heard the statement made by the honorable member for the Thames as to observations which had been used by some member or members sitting near him upon some recent occasion. There has been a very great absence in this House of those arrangements which are very necessary in order to properly carry out government by party in Parliament. It is desirable that those who belong to the Opposition should have seats together, and that they should not have sitting among themselves—I state it with very great respect: I know of no other word—members who act as claqueurs. I believe, if the House would take that in hand, good would result, and I would do my best to make such an arrangement effective. I have stated the ruling according to the best light I have. I shall call to order any honorable member who refers directly to the Governor or to the Legislative Council.

Sir G. GREY.—I still submit upon that subject that there is a partial misunderstanding. I quite agree that the Governor, as a branch of the Legislature, should not be spoken of in this House. But, Sir, the Governor is the only medium of correspondence which we are allowed to have with Her Majesty the Queen. He holds in that respect a position entirely different from the Sovereign. He is really a servant of Her Majesty's Ministers. I spoke of him, Sir, in the latter capacity. I spoke of things which were known to the whole House. The Governor, by the hands of his Ministers, communicated to the House a certain despatch upon the Abolition Bill; and I submit that never, in the previous history of this country, have circumstances of the same kind prevailed. My own belief is that our liberties, our property, and our lives, all that is of value, are now at stake, and that our only chance of having some assistance in getting justice done in this case was by a fair, truthful, and accurate representation of the circumstances of the country being made to the Queen by the officer whom she appointed to perform that duty. I submit I have a right to complain that that officer did not perform his duty in this respect—the gentlemen on those benches I know nothing of—and it is in that respect I speak. I am sure Her Majesty the Queen has had no fair warn-

ing upon the points to which I have alluded; and I am sure that her Ministers at Home have had no fair warning upon that subject. In the Queen's instructions to her Governor, I find nothing which tells him to recognize those gentlemen as the means of communication between Her Majesty's subjects and herself. Especially is there nothing which places them in the position of intermeddling between the Superintendents of provinces and the Governor. The Governor has two distinct sets of functions under the Constitution Act; he has another set of functions under the Royal Instructions. Under the Constitution Act, the Governor, by a separate part of that Act, a part which has no relation to the subsequent part referring to the General Assembly, has certain duties imposed upon him in reference to the provinces. Those gentlemen are not named in that Act. They are unknown to the Constitution, unknown to the Queen in those respects. Then there come in another part of the Act provisions by which the General Assembly is constituted and is made up of three distinct Estates—the Governor, the Legislative Council, and the House of Representatives. This House may lay down rules for its own guidance in respect to its communications with the Governor, and this House is also charged to look after the general welfare of this country. I maintain that, as one of the representatives of the people, being here I have a right to address the Governor in his first capacity, as a person who has to deal with Superintendents of provinces, and to make such representations to Her Majesty as would secure to us our proper interests, our safety, our property, our lives, because I believe it will come to that—I say, Sir, that I have a right to use the Governor's name in that capacity. Those Ministers cannot be impeached; those Ministers are not responsible to Parliament: the Governor can be impeached; the Governor is responsible to Parliament. I say that I have no right to make any observations regarding the Governor upon any point on which there is the least doubt; but if the Governor communicates to this House an actual State paper, I have a right to call the attention of the House to the contents of that State paper. And if it is a State paper which is likely to injure the provinces of this country, I contend, Sir, that I have a right to ask the House to assist me in getting proper representations made by the Governor in the shape of those which have been sent Home. That is all I have attempted to do. If you look at the Royal Instructions, you will see that the Governor occupies an entirely different position from the Crown. The Queen's subjects are told that they can only approach Her Majesty through the Governor. As I have said, if that officer does not do his duty to the Queen's subjects under those instructions, he can be impeached, he can be punished; and no individual, without Her Majesty's consent or authority, can interpose between Her Majesty's subjects and the person to whom she has confided this great trust. Why, it would be no excuse for Her Majesty to plead to the British Parliament that unknown gentlemen, who

might have left the colony, had advised certain things to be done—it would be no excuse for her to say that the ills which had fallen upon Her Majesty's subjects were due to ignorance, it may be of the course which her representative was pursuing—that evils had fallen on the Queen's subjects through his having taken the advice of absolutely unknown persons who can be in no way punished for having given that advice. Such a thing is utterly impossible. Then Ministers say that persons can communicate their grievances to the Governor. What has taken place in this House throughout a great deal of the session? When we have made complaints, they have been met with absolute silence and contempt. Ministers have made no reply whatever. If we had appealed to Her Majesty, a courteous reply would have been returned; if we had appealed to His Excellency the Governor, a courteous reply would have been sent. But through this dumb body standing between the Governor and ourselves we can get no reply. I have seen Ministers almost in a body absent themselves from the House in a way which I have never seen before, entirely neglecting the public business. I say we have a right, in reference to those points in which the Governor does neglect our interests as subjects of the Queen, to appeal to Her Majesty and the Imperial Parliament. If the Governor does not do his duty to us, if he will not hear complaints, where is our remedy? Is it in rebellion? I say rebellion has not been taken up by us. The honorable member for Timaru himself admitted that a revolution was begun by this Government last session. They began a great revolution which was to destroy our Constitution, which was to take from the people here the power of having their rights redressed. We did not begin it. And if at last, if at the last moment of despair, seeing no other course left open to us, we are driven into outrage of some kind, who is to blame?—those who have goaded on the people to desperation, or those who have been goaded into desperation against their will and their wishes? Why not let Ministers stand up and say that they will leave to the Provincial Legislatures the power of determining whether they will or will not accept this Abolition Act. That is all that is asked for, and then the House will see how the matter will be dealt with, and the honorable member for Waitemata will see that too—they will see how the Provincial Legislatures will act under such circumstances—when they will have the power of making their own terms with the Colonial Government. The people of Auckland would then have the power of saying, "If we do come under the Abolition Act, we will have such revenues secured to us as we believe to be ours by right." They would be able to speak for themselves. Why should the honorable member for Waitemata, acting against the welfare of his countrymen, try to take from them the power of speaking of their own wrongs, and the power of getting justice? Was there anything more unfair ever heard of? His object is to safely keep his friend in power. Having a member for Auckland in the Ministry, his object is to keep

that Auckland member in power, and he asks us to trust to that honorable gentleman—an individual man—instead of to ourselves—a body of sensible men. That is his object and intention. And how do the Government ever propose to carry that out? Why, by one of the most shameful yieldings to private interests I have ever heard of. A great Minister of the Crown is to be paid, not to take his seat daily to advise the Governor in Council upon all those various subjects now left with the Governor in Council to make laws upon, but to take his own ease or to follow his own pursuits in the Province of Auckland—purchased into the Ministry upon terms which, I say, any man who loved his country would not accept—purchased into the Ministry upon terms of neglecting his duty as a Minister—and being allowed to follow his own pursuits and his own interests. Was such a thing ever heard of before? Imagine a great Minister of England, some man whom the Ministry thought it essential to buy over to their interests, being bought over on condition that he should become a Minister, it might be for the Home Department, the Foreign Department, or that he should become Attorney-General, the great adviser of the Crown—imagine him accepting office on the terms that he was to reside in Ireland or in a remote part of Scotland, where his private interests lay, and that he was base enough to sell himself to a Ministry on terms of that kind. I say, Sir, that these are days when it becomes men to arouse themselves—to determine to struggle for their liberty and rights. I say, knowing that these disturbances must come in consequence of the course now being pursued, I was bound in duty and honor to my country to warn the Home authorities of what was about to take place. I have striven to the last not to do that; but, having determined to do it, I did it openly. The moment I made up my mind to do it, I sent to the Governor a copy of the telegram I wished to transmit Home. He could have transmitted another. Perhaps he has. Where is it? When I did that openly, and justly exercising the same rights as the Superintendent of a province as he possesses as Governor of this country, why did he send that telegram to this House, and not send down some recommendation with it? I am proud, Sir, of the course I have taken. I feel I have done that which is right, and that in no respect have I done wrong. I have done nothing secretly; I have done it openly. I have not instigated the mass of the people to believe that the Queen's forces were to be employed to trample on their fellow-men, and shrink from making such an avowal. Everything that I have done I have done openly and fairly. I have not made a measure an Opposition measure, and declared that it was not so. I did not do as was done the other night—declare that a measure was not a Government measure, and yet force men to leave the House who had promised not to vote against the Government. When the Government were told that it was a Government measure, they did not deny it or feel ashamed that they followed such a course. Everything I have done I have done

fairly and openly, and I am prepared to stand by it.

Mr. SPEAKER.—I wish to say this, that any one who desires to approach His Excellency the Governor can do so by address; any one who desires to approach this Parliament can do so by address; and if he desires to approach Her Majesty, he can do so by address. I believe that in each case his representation would be taken into consideration. In this House there is a certain mode of procedure to be observed. It is the Government who are responsible for the acts of the Governor. It cannot be maintained that by an observance of this procedure we are to be prevented from having our wants made known; and as to that procedure, we cannot be too guarded in following in the steps of parliamentary usage.

Mr. BOWEN.—I should not have risen to speak on this subject but for the extraordinary speech just made by the honorable member for the Thames. I should like to point out to this House that the comments that he has been pleased to make on the conduct of His Excellency the Governor are really an attack upon the system of responsible government which is established in this colony. We have worked for years on the principle of responsible government. ("No," "Yea.") If the honorable member who has just spoken does not now believe that there are responsible Ministers, he pretended to believe that there were responsible Ministers when he was Governor of this colony, and pretended to act through them. All I can say is, that it is not merely an insult to the position that Her Majesty's representative holds—an insult which I am surprised to hear, coming from an honorable gentleman who has held the Queen's Commission himself,—but it is an insult to this House, which has for years supported the administration of government according to the principle which now obtains: that is, the principle which is called in all the colonies responsible government. I do not care to answer taunts as to who this person or that person may be who is sitting on these benches. It is a matter of taste if any honorable member by way of argument chooses to call his opponents insignificant. The House has it in its own hands to say whether it will allow business to be carried on by this set of men or that. There is a constant contradiction in what is said by honorable gentlemen opposite. Some say the Ministry are merely retained in office to carry out abolition, and in the next breath they say that abolition is distasteful to the majority of the people. Either this House does not represent this country, and the electors did not know what they were doing when the question was deliberately put to them; or else honorable gentlemen opposite are trifling with the time of this House and the country. It appears that the great sin which has been committed, and which has induced the honorable member for the Thames to use such reprehensible language as he has now used with regard to the Governor, is that a document which he wrote himself has been laid on the table. Is he ashamed of it? The responsibility of laying it on the table lies entirely with the Government, and it would have been a very extraordinary thing if

the Governor had withheld a document which his Advisers told him it was important to lay on the table. It is a matter of importance when the Superintendent of a province takes upon himself to adopt what he himself has just told us is an unusual course—namely, to address himself directly to the Imperial Government without first addressing the Governor of the colony. When he takes such an unusual step as that, and states to the Imperial Government that disturbances are imminent, and calls upon the Imperial Government to interfere, I think we, as a Government, should be failing in our duty if we did not at once lay the document on the table. That is a very different thing from a correspondence between a Superintendent and the Government of this colony, however important that correspondence may be. The honorable gentleman seems to forget that he has taken a very unusual course, and one which requires that the attention of the House and the country should immediately be called to his proceedings. I do not think honorable gentlemen generally will approve of the expressions used with regard to Her Majesty's representative—such an expression for instance as that he is a servant of Her Majesty's Ministers, and that he did not represent truthfully the state of the country to the Imperial Government. I would ask this House whether it is right or even decent that an honorable member should get up in his place and speak of Her Majesty's representative in such a manner. Has the Governor said or done anything to justify such language being used towards him in this House? I think, at any rate, that such expressions will not commend themselves generally to the good taste of the House. The House has the Government here to answer for anything that is done, and that Government is perfectly prepared to take the whole of the responsibility upon themselves. The honorable gentleman has more than once spoken of his action as Superintendent of the Province of Auckland. We do not know the honorable member as Superintendent in this House. We do not know him as an ex-Governor or as the Superintendent of Auckland. We know him only as one of the honorable members for the Thames. The best proof of the absurdity of pretending to recognize him as representative of the Province of Auckland is the denial instantly evoked from other honorable members from that province when he attempts to speak as their representative. Does he represent Mongonui? We have a representative of that district in the House, and I do not think he has ever gone into the same lobby with the honorable member upon any constitutional question during the two years the honorable member has been in the House. Does he represent Waitemata? Does he represent Marsden? Does he represent Waikato? Does he represent Waipa or the East Coast? Does he in fact represent more than half, or rather less than half, of the Thames? I take it that his colleague Mr. Rowe represents that district more directly and distinctly than he does. I say that no honorable member, whether Superintendent or not, has any right to speak as representative of any place

beyond the one which has returned him to this House. I do not wish to delay the House any longer, as my honorable friend the Colonial Treasurer has been for some time desirous of making his Financial Statement. I can only once more express my surprise at the outburst of indignation on the part of the honorable member for the Thames at the publication of a document which he himself thought of such great importance that he took the irregular step of sending it directly to the Imperial Government without the intervention of the Governor; without, in fact, pursuing the course which he acknowledges himself has always been observed in the colony, and which he ought to know better than anyone else in this House is the only legitimate course to be taken if he wishes to communicate with the Colonial Office.

Mr. READER WOOD.—The honorable gentleman has talked in a very emphatic manner, and not in his usual insouciant way, as if he did not much care what transpired about the constitutional position of Ministers, and the insults levelled at His Excellency the Governor by the honorable member for the Thames. Perhaps the honorable gentleman holding such views as he does with regard to Ministerial responsibility, will inform the House whether it is the business of Ministers to advise the Governor as to the despatches which he writes Home. I do not know whether any new system has been introduced with regard to the relations between constitutional Ministers and the Governor; but I know that some years ago such a thing was not done. If honorable members will bear in mind that this is a despatch by the Governor, they will see that they have a right to use His Excellency's name directly, and it would be wrong to pretend that Ministers are responsible for such a despatch being sent Home. It was upon one of these despatches, and upon that only, that the honorable member for the Thames made the remarks which evoked the not very pointed reply of the Minister of Justice. The honorable gentleman also told us that this House knew nothing of the honorable member for the Thames as Superintendent of Auckland—that he was only known in this House as the honorable member for the Thames. But I apprehend, if this House does not know him as Superintendent of Auckland, the Constitution of the country recognizes him in that capacity; and this House ought also to recognize the Constitution of the country whilst it exists and until it is set aside. The honorable gentleman likewise asks us whether the honorable member for the Thames, as Superintendent of Auckland or in any other capacity, can be said to have the same views and the same feelings as the honorable member for Waikato, the honorable member for Waitemata, the honorable member for Waipa, and other honorable members in this House. The honorable member for Waitemata, who very rarely ventures to address the House, and to whom it is always necessary that particular attention should be paid when he speaks, told us this afternoon that the honorable member for Rodney and others were now desirous, which they were not before, of continuing

the old system of Provincial Governments in the country. I ask that honorable gentleman whether he was not a supporter of the honorable member for the Thames in the proposals he made in this House with regard to Separation—whether he did not support those resolutions by which the honorable member for the Thames desired to put something in the place of the old system of Provincialism which has hitherto existed? And when those resolutions failed, did not that honorable gentleman simply abandon his position altogether and go over to a new system,—a different system, and one that was never spoken of before by any men who stood at the late elections in Auckland? On the hustings during those elections only two courses were suggested—one, separation in some form; and the other, the unity of the colony and a common purse. The honorable member also accepted the latter, and voted for the resolutions of the honorable member for Waikato, which followed those of the honorable member for the Thames; but now, instead of sticking to his colours and doing the best he can to force this House back again into one of these positions, he takes the miserable position which is accepted by the present Ministry, and which the country has never been asked whether it will accept or not. What were the propositions of the honorable member for the Thames? That there should be some definite and fixed financial system, upon which the business of the country could be safely administered. It was the same with the proposals of the honorable member for Waikato. And now what are we asked to do? To govern the country for twelve months by means of Treasury bills, and let the future look out for itself. That is the grand position of Ministers, and that is the position which the honorable member for Waitemata now takes up—a position which the honorable member never spoke of to his constituents in any way, and to support which, I answer for it, no single constituency in the colony would return a representative if he went boldly and straightforwardly and told them the course he intended to pursue. I think such taunts as the honorable gentleman threw out are entirely out of place. Over and over again I myself, the honorable member for the Thames, and other members from Auckland, have said, with as much precision as words are capable of, that we did not desire the old form of Provincialism—that in the Province of Auckland it could not be carried on for a single month by any one. But we did say this, that Abolition on the terms offered was as bad, if not worse, not only for the province but for the country at large, as the old system. We tried to get something different, something that in itself was reasonable and intelligible; but we had opposed to us a mere scratch system that cannot by any possibility be carried on even under the great modern principle established in this House of borrowing upon every conceivable occasion—cannot possibly be carried on for more than twelve months. The honorable member for Dunedin City, Mr. Stout, and the honorable member for Clutha have been taunted with saying that the honorable member at the head of

the Government evidently did not desire, and could not have desired, to bring his Financial Statement forward to-day, or he would not have done his best to raise a debate upon this subject; and the Premier says those honorable gentlemen are perfectly welcome to hold that opinion, but it is wrong. I think they can very well be excused for holding that opinion. For the last fortnight we have been day after day expecting this statement, but it has been put off from day to day, and we have been told, "It will be made to-morrow or next day," and so on, until we really did not know when we were to hear it. Anxious as I am to hear the statement, I am afraid I shall not have an opportunity of doing so if it is not made to-day, for I really cannot spend a lifetime here waiting for it. And yet when we came to the House to-day expecting that it would be delivered, this paper was laid upon the table, which was not at all necessary, and which was certain to cause an irritating debate. One would suppose that, if Ministers desired to be excused from bringing forward the Financial Statement, that was the very course they would adopt. I do not desire to put off the Financial Statement, and therefore I shall occupy time no further.

Mr. ORMOND.—I am somewhat surprised at the statement made by more than one honorable gentleman, and particularly by the honorable member for Parnell, that this question of abolition was not put to the people. If my recollection does not betray me, it was the boast of those very gentlemen last session that they, by their action, had given the people an opportunity to consider it; yet now they do not hesitate to assert, over and over again, that that in which they gloried last session was something that never happened. As to the statement that this House does not represent the country, why, Sir, if this House does not represent the country, where is there any body in the colony that does? This House was elected on the Abolition question, and on the understanding that it should substitute a purely local form of government. We may differ as to whether the details of the measure we have been engaged in framing are the particular forms the people wish to see adopted, but it is incorrect to say that the people themselves have not decided the main question. I should not have risen at all but for the question so pointedly referred to by the honorable member for Parnell; but since I have risen I should like to make a few remarks upon the characteristic speech delivered by the honorable member for the Thames. To my mind—and it is with very great regret that I say it—it is a pitiable thing that we should hear, from an honorable gentleman who came to this House with such prestige, such speeches as we have listened to to-day. What were the leading features of that speech? Not for the first time, the honorable gentleman spoke of His Excellency the Governor in a way that this House cannot approve of. Beyond doubt, this House listens to these statements with great distaste; in fact, they could come with no worse taste from any one else in the colony than from the honorable gentleman himself. He has occupied the high position of Governor of this colony in the

past. He himself is at the present moment the recipient of pension money for services rendered in that capacity, and he should be the last man to bring forward His Excellency's name in a way which he must know is entirely wrong, and entirely unconstitutional. The honorable gentleman dealt, in a way in which I am sorry to say he never fails to deal, in imputations of a gross character not only against members of the Government, but against members of the House. The honorable gentleman never makes a speech in this House in which he does not cast imputations upon the character of honorable members, and question their motives. I can hardly realize how it is that the House patiently listens to the honorable gentleman whilst he repeatedly and continuously abuses the characters of our public men. Is the honorable gentleman the only man in this House who acts from pure motives? One would think so from the position he takes up. My honorable friends who sit on the Government benches, with their experience of the honorable gentleman, may well treat with utter contempt the charges which he habitually hurls at them. If they were the only persons to whom he applied abuse of this kind, if it were only political opponents against whom these charges were hurled, we should not feel so much surprised; but this session we have witnessed the spectacle of this honorable gentleman—who is nominally known as the leader of the Opposition, but who is so utterly impotent for the position—not only attacking the characters of his opponents, but, on the slightest provocation, imputing the grossest motives to members of his own party.

Mr. STOUT.—Name.

Mr. ORMOND.—I will "name" if the honorable gentleman anxiously desires me to do so. I will first allude to the case in which the honorable gentleman hurled imputations against the honorable member for Avon and the Canterbury members. I will next name the case of the honorable member for Bruce, who was attacked by the honorable gentleman when the Counties Bill was under discussion in Committee a few evenings ago. I would like to know where you will find in this House a member who bears a higher character for consistency than the honorable member for Bruce; and yet, because the honorable gentleman ventured to differ from the honorable member for the Thames on a question of boundaries, he was charged with acting in a manner opposed to his duties as a representative of a Southern constituency, because his private and personal interests were involved. And with these cases before his eyes, the honorable member for Dunedin is silly enough to dare me to bring forward instances of the thorough wrong-headedness of the honorable member for the Thames, and of his complete inability to fill the position he holds, or nominally holds, as leader of a party. What have we seen him do? We saw him, this session, start with a compact party under him; but now all its best members are gone from him, because they could no longer consent to be dragged through the dirt. The honorable member for Dunedin (Mr. Stout) laughs; but he knows very well that it is the only wish of that party to get

rid of the leadership which is weighing them down, and rendering them impotent for any useful purpose. The honorable gentleman knows, and we know, that the honorable member for the Thames has been practically deposed from the leadership of his party. We know perfectly well that every member of the Opposition has told him that it would be desirable that he should withdraw from his position because he was weighing them down, and preventing the Opposition, as a party, from doing any good or useful thing. Honorable gentlemen on the other side may still laugh; but they know too well that, if they come back next year under the honorable gentleman's leadership, they come back to an impracticable position—one from which no good can result.

Mr. STOUT.—We know nothing of the sort.

Mr. ORMOND.—Then I know it; but what I complain of at the present moment is, that the honorable gentleman should be allowed to hurl, right and left, unfounded imputations of the grossest character against honorable members. We are all actuated by as high motives as the honorable gentleman, but we do not bring ourselves down to the course which the honorable gentleman adopts. The speech of the member for Auckland City East was also characteristic of him. From him, also, we heard those absurd imputations of motives so much indulged in by the honorable member for the Thames, that all the efforts of honorable members on this side of the House are guided by the hope of gaining some personal, paltry advantage.

Mr. STOUT.—Hear, hear.

Mr. ORMOND.—The honorable member has well exemplified the utter shamelessness, if one may use such an expression, of making such imputations, and it is beyond all forbearance that honorable members should be subjected to them. The honorable member for Auckland City East talked about who represented the people! I should like to know how much that honorable gentleman, and several other honorable members who come from the Province of Auckland, represent the people. I speak, of course, of those who were elected upon the Sir George Grey "ticket." For myself, I would scorn to sit here upon any such ticket. If I could not sit here in my own right, I would prefer not to be here at all. I certainly would not consent to occupy the position of the honorable member for Auckland City East, and many other members who sit around the honorable member for the Thames. They were elected to be joints to Sir George Grey's tail, to be whisked about as he chose to whisk them; and these are the gentlemen who talk to us about representing the people—who tell us, forsooth, that we represent nothing! I will only further state that this discussion has been entirely provoked by the speeches from the other side. There is no end or object to be gained by it; but, for myself, I could not sit here and listen without objection to these gross imputations which have been made by members on the Opposition benches.

Mr. ROWE.—I should not feel satisfied with myself if I did not make a few observations on

the present occasion. The honorable member for Auckland City East—who, I am sorry to see, is not in his place—when addressing the House this evening said that those honorable members who voted with the Ministry only sought to further the interests of themselves and their friends. I do not object to such imputations being made against me by the honorable member. They will go forth to the country for what they are worth, and when placed in the balance will weigh very lightly indeed. But, Sir, the honorable gentleman, while in his seat, has told me that I shall be afraid to go through the streets of Auckland when I return. All I have to say in reply is, that I lived in Auckland many years before the honorable gentleman saw it, and I was not afraid to go through the streets then. I have lived in Auckland since he has been there without experiencing any fear of the kind; and I was going to say that if I lived in Auckland after the honorable gentleman left it I might be afraid. However that may be, I shall not be afraid to face my constituents when I go among them. Sir, the honorable gentleman made the remark that nearly the whole of the members from Auckland were elected because they promised to follow Sir George Grey. Well, he certainly could not bring that accusation against me; but if he could do so, I should consider it the very worst accusation that could be brought against me. What folly, what excessive folly, it is for those gentlemen to come here and tell us that we do not represent our constituencies! Why, Sir, a number of those very gentlemen would not have been here if they had not promised to follow Sir George Grey through thick and thin. They were never elected on their own merits, nor because their constituents had any confidence in them. They were simply elected on Sir George Grey's ticket—they were supported by his Committee, and that is how they got into Parliament. I may say that myself and several other members have not stood on such a ticket. I have steadily voted for the principles I advocated when I first stood before my constituents, and nobody can say anything to the contrary. The honorable member for Parnell, when speaking, said something about a division of the colony and separation. Well, Sir, I should have thought it the greatest calamity that could have befallen the colony if what are known as the Separation resolutions had been carried by this House, and I glory in the fact that I was not one of those who supported the proposal. If these resolutions had been carried, "Ichabod" would have been written against the names of those gentlemen who supported them, and they would have lost their political reputations for ever if they had had any such reputations. I say that even Auckland itself will rejoice ere long that those resolutions were not carried. Now, Sir, my honorable friends have been talking about bloodshed and all that kind of thing. That is, as far as Auckland is concerned, the veriest nonsense ever uttered. The Auckland people know too much to go in for rebellion. But at any rate if there were a rebellion at Auckland, I am very glad to say that we have a large

force of Volunteers at the Thames, and I shall not be afraid to go into the midst of them when I return to my home. Those men who talk about rebellion will not fight. There is not courage enough in them, and there never was. They can talk and use a multitude of words, but it goes no further than that. The Auckland people, I say, possess too much good sense, and are too deeply interested in the welfare of the colony; and if there is one desire in their breasts above all others, it is that the colony should be united, and energetic in pursuing those courses which are conducive to the prosperity of New Zealand. If the honorable member for the Thames (Sir G. Grey) talks till he induces the Auckland people to rebel, I pity him. I must admit that he has a great deal of eloquence, but all his eloquence will not induce them to do that. But, Sir, there was one thing about which I did feel sorry, and my honorable colleague will pardon me if I refer to it. The honorable gentleman pointed to the Postmaster-General, the honorable member for Waikato, and told us that he had sold himself to the Ministry. But I ask, Sir, ought not a member of this House to be ashamed of such an assertion as that? What right has he to make such an assertion? I have known the honorable member for Waikato for many years, and I say that, after all he has done for the colony, any man who comes here and uses such expressions with regard to him must be lost to all sense of shame.

Mr. DE LAUTOUR.—Sir, I have always heard since I came into this House that the honorable member for Clive had a little room upstairs somewhere; and from his assumption of knowing everything that goes on, and the remarkable accuracy of his statements with regard to the movements of the Opposition, I know now what use that little room is put to. That little room is kept for the purpose of seeing what the Opposition are doing. The honorable gentleman has spoken of us as a remnant, and says that all our best men have gone away from us. Well, all I can say is, that if they have gone in consequence of anything that has taken place this session, I am very glad to be left behind. Of the many things said by the honorable gentleman, one at least deserves not to go unnoticed. He seemed to hold a doctrine out for our approval, that because a man from many years' service has become entitled to a pension from the Crown, therefore his lips are to be sealed, when he takes a seat in this House, from opposing the gentlemen on the Government benches. Well, Sir, that accounts for another thing. That honorable gentleman has not as yet received a pension from the Government, but he is in receipt of full salary; and if his doctrine is that a pension is to undermine independence, we can understand that the receipt of a full salary will have the effect of blowing away independence altogether. The Hon. the Minister of Justice has told us that the Government are prepared to accept the whole of the responsibility of this thing. But there are many men who are prepared to accept and take anything they can get. The Hon. the Minister of Justice does not stand alone—his own department can tell him that. I

give the Government full credit for their power of expansion; and when I heard the Hon. the Minister of Justice say how much responsibility they could take and were in receipt of, I could not help thinking of the old fable of the frog and her offspring, when they were in the field with the bull. The frog tried to expand herself to the size of the bull; and we have seen the same sort of thing here this session. This system of expansion has been going on, until, like the paper-bag in the hands of a small boy in the street, it will expand till it bursts; and this burst is near at hand now. He also thinks it is contemptuous to speak of the Governor as a servant of the Crown.

Major ATKINSON.—No, as a servant of the Ministry.

Mr. DE LAUTOUR.—Well, Her Majesty's Ministers do represent the Crown, and therefore the term was practically "servant of the Crown." The expression was, "the servant of Her Majesty's Ministers at Home." Why, Sir, those Ministers themselves glory in being servants of the Crown. Has the Hon. the Minister of Justice never heard the maxim, "He that would be greatest, let him be the servant of all"? I think the honorable gentleman must rise in the moral scale a little. Then the honorable member for Clive used the phrase, "so utterly without fact," in regard to the honorable member for the Thames. Is not that the very phrase we have been applying to the Ministers of the Crown? Who asked for this debate this afternoon, and, just for the sake of raising a laugh amongst those offspring who were witnessing the process of expansion, moved that this correspondence be read? The honorable member for Clive flattered the honorable member for Bruce, but I do not think the latter gentleman is to be bought by flattery. At the commencement of this session I heard the Hon. the Premier speak of an honorable member as a future great statesman; and I think the same sort of thing is being done now with regard to the honorable member for Bruce, though in a smaller sphere. In regard to the question immediately before the House, I may say that we have heard a great deal from Ministers, but yet they have not told us what answer they advised His Excellency to send in reference to the correspondence before us. I think it was their duty to come down and take the first opportunity of drawing the attention of the House and the country to this correspondence; but in my opinion it was also their duty to show what course they intended to take in regard to it. They ought to have told us what steps they had taken, if they are responsible, as they claim to be, for the actions of Her Majesty's representative. It is well this debate has arisen to show the weakness of the Government in this House in commanding a majority. What is the use of a majority which will go to the "Aye" or "No" lobby as they are commanded, if there is no management of them? As far as the management of a majority goes, the present Government have shown themselves weaker than any Government which has preceded them, and this debate has helped to intensify that weakness.

Mr. TOLE.—Sir, I am not astonished at the

manner in which the honorable member for Clive has spoken, for, as far as my observation goes, he appears always to perform the inferior part of the work of the Ministry. After three or four weeks of bottling up, as I may call it, of abuse, he always appears then to avail himself of the first opportunity to let it off at the honorable member for the Thames. He rarely speaks unless he wishes to attack that honorable member, for obvious reasons. He has, however, thought proper, in relation to the following of the honorable member for the Thames, to stigmatize—for that is the sense in which his words were used—them as his “tail.” Well, Sir, I can say this at least, that I consider it a greater honor to be a part of the tail of a body that is here, than to be part of the tail of a body that has ignominiously departed from this House. I do represent some principle here, but I do not suppose the honorable member for Clive represents any. I was astounded at the laughter with which Ministers received the subject which has been under discussion to-day, in the face of such perilous and imminent events. I am astonished, also, at the laughter with which they meet contradictions to their statements. It is ludicrous to see them laughing at what involves their honor and the honor of Her Majesty’s representative, and then with mock serenity jump up to a point of order at once when his name has been respectfully used in relation to his action as Governor by the honorable member for the Thames. That is a position which I cannot understand. It may be that as a new member I am not initiated in the deportment of Ministers, but I may say that during the whole of this session I have been shocked with the levity of Ministers in regard to such important matters as the present. It will be remembered, Sir, that the other day a memorandum was written by the Premier to the Superintendent of Otago, in which reference was made to the superior opinion of the Law Officers of the Crown in England in relation to Abolition. The honorable member for the Thames asked, on the first opportunity in the House, that a copy of the opinion should be laid upon the table. It might naturally have been supposed that the Government would have given a categorical answer to the honorable member’s simple question; but they requested the honorable member to postpone his question, and to give formal notice of it. The next day the Premier got up and answered baldly, as he could have done on the day before, that no opinion of the Law Officers of the Crown in England had been received. At the same time the people had been led to believe by the terms of the memorandum of the Premier to the Superintendent of Otago, which had been published in the newspapers, that an opinion of the Law Officers of the Crown in England did exist. By that memorandum they misled the people by inducing them to believe that Her Majesty had given the Royal assent to the Abolition Act, when Her Majesty, they must have known, could not give such an assent. All the power the Queen has is that of disallowing an Act within two years, and that power she has not yet been pleased to exercise: there is still time in which such power of disallowance may be exer-

cised. The Ministers have thus misled the people—I use the word “misled” advisedly—into the belief that Her Majesty has assented to this Act, to make it appear that the matter is fixed and confirmed. An action of that kind on the part of the Government is to be very much deplored; and it is to be regretted that Ministers should have adopted the course pursued by them. In that view I would move, if I be in order, the following amendment:—That this House regrets the terms of the memorandum, without date, of Ministers to His Excellency the Governor, published in the *New Zealand Times* newspaper of the 4th October, 1876, in relation to the correspondence with the Superintendent of Otago upon the subject of the Abolition Act.

Mr. SPEAKER.—I do not think it is an amendment which I can put. It refers to a matter of which the House has no cognizance. If the documents were papers of the House, or if they had been laid on the table by leave of the House, it might have been moved by way of amendment.

Mr. STOUT.—I think it is to be regretted that the business of the day should have been interrupted in the manner in which it has been interrupted this afternoon. It is not the first time that the business of the country—I presume I may term it so—has been interrupted by the Government. On Friday night, when the Government supported, if they did not actually move, an amendment of a substantial character in the Counties Bill, through their action in that respect the additional Financial Statement, which was to have been made at eight o’clock on Friday, was not made at all, and the debate on the Counties Bill lasted until after two o’clock in the morning. The Government now apparently think it their duty to bring down an incomplete correspondence and to lay part of it on the table. The communication is only one of others that have been addressed to His Excellency. The Premier’s explanation was that this was the most important communication he had ever had the honor to lay upon the table of the House. Thus he valued this communication from the Superintendent of Auckland as of more importance than all the rest of the Government despatches and all the other papers laid upon the table. I would like the Premier to explain how it happens that the only thing laid upon the table of the House and read to-day is the copy of the telegram from Sir George Grey. The reply of His Excellency to the Superintendent of Auckland is not laid before the House. Does he mean to say that he has advised His Excellency to be so discourteous to the Superintendent as to give him no reply? The excuse he gave why the correspondence between the Superintendent of Otago and His Excellency the Governor was not laid upon the table of the House was, that the correspondence was incomplete; it was still going on. Does he mean to say that this correspondence is not finished? I am surprised that the honorable member should fall back on that explanation of his conduct. I wish to say one or two words in reference to what has been done about introducing His Excellency’s name into this debate. It

is not usual in the Home Parliament to introduce Her Majesty's name in debates in such a way as to influence the decision of the House. But I think, Sir, you will find it laid down in "May," page 331, that Her Majesty's name may be used in the House of Commons so long as it is not used irreverently, so long as no insult is intended to Her Majesty, and so long as the use of that name is not to influence debates. I presume that His Excellency the Governor cannot be placed in a higher position than Her Majesty the Queen. I can conceive circumstances arising where it would be absolutely necessary for this Parliament to take some steps in relation to the conduct of the Governor; and should it be precluded from discussing that action? What does it amount to? It amounts to this, that a servant of the Crown is not to have his action criticised in the Parliament of the colony. That is certainly not constitutional government. I admit that the Governor can have no knowledge of what takes place in this House excepting by an address; but it would be the duty of any honorable member, if he stood alone, to bring before this Parliament, even upon a motion for an address to the Crown, any charge he believed against any servant of the Crown in the colony. In reference to that, I can only say that the Governor stands in two positions—one as an independent branch of the Legislature, because he is a part of the General Assembly, and no doubt it is not wise in the House to discuss his action as a part of the Legislature; but as Governor he has certain duties to the people of the colony, and in that relation it is our bounden duty to discuss his conduct. Possibly he might not act on the advice of his Ministers, and therefore we should have a right to discuss his conduct. But coming back, I can only say that I very much regret that the Premier should have laid incomplete correspondence on the table, and at the same time kept back what he called incomplete correspondence between the Superintendent of Otago and the Governor. I was not aware that the latter correspondence was being continued, and I would like to know from the Premier whether it is to be continued. Does he know it is to be continued? If he is going to say that, because there is some chance the correspondence may be continued, he would not lay it on the table, it would never get on the table of the House at all; it might extend for twenty years. I do not intend to reply to all the criticisms, but I would ask the honorable gentleman to bear in mind that it is his duty as Premier to consult the feelings of the colonists as a whole; that as Adviser of His Excellency it is his bounden duty to so frame measures that they shall not be mere measures for a majority, but for the colony. And I go further and tell him this: that if the Ministry had banded themselves together to destroy the colony's credit, they could not have acted differently from what they are doing now. Are they not aware that everything which transpires in this colony is known to the money-lenders in London? I do not say our credit is bad; but I know this fact, that if the Ministry are going to raise large additional

loans upon the London market, they will have to pay considerably higher interest than they have paid hitherto, or else the loans will not float at a premium, but be at a very large discount. At the very time you are going to raise the loans, you are having raised up in the colony a feeling of hatred to the Central Government, and thus encouraging a feeling of insecurity among the money-lenders. Instead of attempting to smooth over any harshness of feeling that may exist in the two outlying districts of the colony, Auckland and Otago, what does the Premier do but spread dissension throughout the colony? That has been his sole object. Why was this telegram laid upon the table if not to cause dissension in the colony and create a harshness of feeling? We came to the House this afternoon to listen to the Financial Statement with no idea of criticising the Government or its action; but they bring this matter down for the sole purpose of having a fling at the Opposition, and for no other purpose. Look at what they did in reference to the memorandum which has been published in the Press of the colony. They stated facts in the memorandum which—I will put it in this form—they could not verify in a Court of justice; and if they attempted to verify them they would find they had made a very serious mistake. What do they say? They actually put this in the memorandum to His Excellency the Governor: "Ministers are fully aware of, and deeply regret, the strong feeling against abolition apparently held by a portion of the inhabitants of Otago." They might have said, "We regret it, but the Act has been passed. We cannot alter it. We cannot pass a measure to change it. There will always be some disagreement about a new law." But what do they say? "Fermented"—they say "fermented," I suppose they meant fomented—"as it has been by misrepresentations and agitation, for which the Superintendent himself is in a great measure responsible." Well, Sir, I can only say this: that if they mean to say that the Superintendent of Otago has stirred up ill-feeling against the General Government at the present crisis, they are making a charge which is utterly without foundation. I can speak from my own personal knowledge, and I say it has been the aim of the Superintendent of Otago since he left this House, and when he met the people of Otago—not merely the people of Dunedin, but representatives came in from all the country districts to be present at this meeting—I say his aim and object were to try and smooth over asperities and to get the people to seek redress in a constitutional manner. He told them that they should exhaust all constitutional means—every constitutional method—before anything else was tried. I believe you will, by next mail, hear of another telegram sent to the Secretary of State asking, in a constitutional manner, for redress, before resort is had to anything else. And yet, knowing this, what have the Ministry done? They have thrown down a challenge to the people of Otago; they have insulted them in their memorandum in a way no Ministry ought to have insulted the people.

They have not only insulted them, but they have accused the people of a want of common intelligence. Do you mean to say that it is in the power of one man—of one man who has only addressed two public meetings during the recess and one during this session—to produce such a feeling in the minds of the people in reference to the attitude of the Government towards them? Have the Government no political organs in the Press? Can the Government make no speeches in reference to this matter? Sir, I cannot understand such an accusation being made against the Superintendent of Otago by the Premier. Leaving this memorandum, which I hope on a future occasion I shall be able to discuss in the House, I wish to make one or two remarks upon what fell from the Minister of Justice. He started in a peculiar manner, and this is not the first time he has brought this subject up. He asks, Have we not got responsible government? He says I have said "No, no!" I repeat it again. I say that, since the inauguration of the Public Works policy in 1870, there has been no such thing as responsible government. Look how Ministries have been formed. Did any one hear in any colony or in the British Parliament of any person being taken from the Magistrate's Bench and made a Minister of the Crown in a responsible Government? The honorable member speaks plainly, and I shall speak plainly upon this occasion. I do not wish to make any personal attack. Did any one ever see in any Parliament members taken from the Opposition to join the Ministry? Was not the present Premier elected in opposition to the Fox-Vogel Government? He was elected on that ground; he came into this House, and the Vogel Ministry afterwards took him in as a Minister of the Crown with the Minister for Justice. Is that responsible government? Look at the way in which my honorable friend the member for Waikato was taken into the Ministry. I ask, is that responsible government? He opposed the Government on what may be termed the two Government questions, the most vital constitutional questions—and yet, Sir, he becomes a member of their Government! Is that constitutional government? They talk about responsible government. I say that there has been no responsible Government whatever since 1870. The whole aim of the Parliament seems to be to get as much for your district as you can. And what have we had now? I say that Parliament, instead of being governed by party, is being demoralized by the Public Works scheme, and there has been no such thing as party government in this House. And then, because the honorable member for the Thames protests against the course the Government have taken, he is met with the statement, "Oh, we are Responsible Advisers; you cannot say anything against us." One has only to look at the method of inaugurating the Public Works scheme to see whether or not there has been responsible government; but I do not wish to go into that now, as I do not wish to detain the House beyond the half-hour, the usual time of adjournment. I then come to the remarks of the honorable member for Olive. I

am sure the Opposition must be very grateful to him for the care he has been taking of them. It is very kind of him to tell us what to do and how to act. He desires, no doubt, to see a strong Opposition, and that is the reason he takes so much interest in us. I can understand that he spoke with a little feeling. He is one of those who had to leave those benches because of the action of the honorable member for the Thames. It is not a very pleasant thing to admit having done a wrong, to resign his position, and become a private member. All these things are very discouraging even to the honorable member for Olive. I can only add, in reference to the honorable member for Olive, that when the Opposition require his services we shall have no hesitation in waiting as a deputation on him in his office, and inviting him to come among us and see if he cannot guide us in the right path. As he is so fond of speaking to the Opposition, perhaps he will be kind enough to give a little advice to the Ministry, and tell them there is such a thing in managing the business of this House as consulting even the prejudices—to use no better word—as consulting even the prejudices of your opponents, and that, in attempting to treat the Opposition as non-existent, they will find that they have made a mistake, and that they cannot go on very well as they please. If the honorable gentleman would give them that advice, and if they acted upon it for a week, they would find that things would go on more smoothly. No doubt the Opposition will take even his counsel as to how they should best act, but until we ask his advice he need not give it: we do not require his advice at present. I do not wish to boast of the members of the Opposition, but I think we have got as able advisers among ourselves as the honorable member for Olive. When we find that we have not, then we shall send for him, not till then. Perhaps, until that time occurs, there is no use in his being so much interested in what the Opposition do. The honorable member was silly enough to dare me to do anything: he hinted that his word was law, and that anybody who said anything against him would be nowhere in Hawke's Bay. I can only tell him that, so far as I know the feelings of the Opposition, if we desired to change our leader we would not select one from the Ministerial party; we can get a leader from amongst ourselves. I believe the Opposition are prepared to follow their present leader, believing that he is one who is fighting for what is right, and also feeling this, which the honorable member for Olive forgets, that if the Opposition were fighting for office they could have been in office. We have been fighting for something else. Is it not well known that, if at the beginning of the session the Opposition had said to members opposing the Ministry, "Abolition is at an end—we shall join in turning out the Ministry," the Ministry would have been out in a week? There was no reason why the Opposition should have remained in a minority except that they fought for a principle, and for what they believed to be right, and not for office. It is better that the Opposition, if dwindling in numbers, should fight for a principle, than that they should have daily an

accretion for the lower object of obtaining office. I think the remarks made by the honorable member in reference to the honorable member for the Thames were rather out of taste. As to a matter of taste, each person must of course be his own judge. I think it would have been better for the honorable gentleman not to have dragged in that the ex-Governor So-and-so did so and so in the past. If he had just addressed himself really to the matter which came before the House, it would have been more instructive and interesting. But, Sir, I will not allude further to the honorable gentleman. If I chose to refer further to the honorable gentleman, I could say as much about him, or perhaps more, than he said about the honorable member for the Thames; but I do not desire to do so. The question before the House is that the papers be printed. I think the Opposition has taught the Government a useful lesson, that when introducing debatable matter they cannot expect but to have what they have had this afternoon—two or three hours taken up with the discussion.

Motion agreed to.

TAUPIRI BURIAL-GROUND.

Mr. NAHE asked the Government, If the Government will give effect to the report of the Native Affairs Committee on the petition of Major Te Wheoro? He understood from the Native Minister that the Government intended to consider this question. He had heard by telegram from Major Te Wheoro that two new houses had been erected on that sacred place.

Mr. RICHARDSON replied that the Government wished in every way to consult the views of the Natives in this matter, and, as far as it was practical to comply with the recommendation contained in the report of the Native Affairs Committee, they would do so.

TELEGRAPH STATION AT UPPER MOUTERE.

Mr. HURSTHOUSE asked the Postmaster-General, Whether the Government will give effect to the prayer of the petition of the settlers of the Upper Moutere, in reference to opening a telegraph station in that settlement?

Mr. WHITAKER said he had made inquiry as to the probable cost of erecting a station at this place. He found that the erection of the telegraph station would cost £350, and £150 more would be required to keep it up. He thought that under the circumstances the honorable gentleman would agree with him that the Government would hardly be justified in erecting this station.

C. PHILLIPS.

On the motion for going into Committee of Supply,

Mr. HAMLIN moved, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider of a respectful address to His Excellency the Governor, praying him to place on the supplementary estimates a sum of £300, in accordance with the report of the Public Petitions Committee in the case of Mr. Coleman

Phillips. He would not detain the House with lengthened remarks, as he knew honorable members were anxious to hear the Financial Statement. This was the only occasion on which he could hope to bring the motion forward with any chance of success, and he had therefore tabled it. The matter had been before the Petitions Committee for some days, was thoroughly gone into, and at length the Committee came to the decision that Mr. Phillips should be allowed £300 in place of the compensation of £2,000, which had been promised to him by the late Premier. There was little doubt that Mr. Phillips was the originator of the Polynesian scheme; and having drawn the attention of the late Premier to it, he was requested by the then Governor, Sir James Ferguson, and by Sir Julius Vogel, to visit Wellington to lay the matter before the Government. He would read a few extracts from the papers laid before the Assembly in 1874, which would show the House that the promise was made by the late Prime Minister to Mr. Phillips. In his letters on the South Sea Islands scheme, Sir Julius Vogel said,—

"The plan which I am about to develop arose in my mind in this way:—

"Mr. Coleman Phillips, who had aided in arranging for the establishment of a bank in Fiji, addressed to me a communication, in which he suggested the establishment of a company, which, like the East India Company, should endeavour, politically and commercially, to gain ascendancy in the Pacific Islands. I was much struck with the idea; but when Mr. Phillips asked me if I would advise him to go Home to endeavour to float the company, I felt that he would have great difficulty in raising the capital. It then occurred to me, from the New Zealand point of view, from which I felt bound to look at it, that Mr. Phillips's project, supposing it matured, might or might not be worked in a manner calculated to be of much benefit to New Zealand."

He then goes on to say,—

"I may add, I consider that Mr. Phillips's share in the project entitles him to substantial compensation."

Further on, in a memorandum addressed to His Excellency the Governor, he says,—

"Your Excellency is aware that I have felt much interest in a proposal made by Mr. Phillips, that a trading company should be formed in England with the view of absorbing by its commercial power a large share of political control in the islands. The object proposed by Mr. Phillips, excepting that of a chartered labour traffic, I approved; and your Excellency, I believe, communicated the substance of Mr. Phillips's ideas to the Secretary of State."

After that, His Excellency the Governor, writing from Government House, Wellington, 11th March, 1874, addressed Lord Kimberley upon the subject in these terms:—

"This scheme was at first devised by a private individual, who contemplated an attempt to form a company in England and Germany. He communicated it to the Premier, the Hon. Mr. Vogel, C.M.G., who deemed it to be one which New Zealand should not only encourage, but adopt

and control, in consideration of the advantages which would accrue to her through a reciprocal trade with the islands, and possibly by becoming, at a future time, the centre of their government."

It would appear from these extracts that Sir Julius Vogel always recognized Mr. Phillips's claim, and it would be seen from the following letters what his private opinions of the matter were. On the 3rd November, 1873, Mr. Phillips wrote to Sir Julius Vogel as follows:—

"Desirous of obtaining the influence of the Bank of New Zealand, in London, I submitted the plan to Mr. Murdoch. He has favourably considered it, and will give me letters of introduction. He strongly advised me to print off a prospectus for distribution amongst a certain few in New Zealand, and to allow them to recommend it to their friends in England. He would prefer to indorse a stated plan than to give an open letter of introduction. Would you kindly give me your opinion?"

Then came the following answer, to which he wished particularly to direct the attention of the House:—

"Wellington, 6th November, 1873.

"DEAR SIR,—I am in receipt of your note, and think you had better delay doing anything till you see me.

"I have thought much over your project, and have a suggestion to make which I think you will like. In meanwhile I would wait and not tell your plans to others; the quieter you are about them the better.—I have, &c.,

"JULIUS VOGEL.

"I am sure to be in Auckland in the course of a couple of months, probably sooner, and the delay will do no harm. Let me know what you decide on.

"J. V."

These were a few of the facts which were brought out before the Public Petitions Committee. It was admitted by Sir Julius Vogel, in the evidence he gave before the Committee, that Mr. Phillips was entitled to compensation for the expense he had been put to, and the Committee recommended that he should receive £300. The case was such a strong one that it needed little recommendation, and he would therefore not detain the House with any further remarks.

Major ATKINSON said that the Government would not oppose the motion for going into Committee on Thursday, but they would reserve to themselves the right to consider the question on its merits.

Motion agreed to.

SIR J. VOGEL'S MISSIONS TO ENGLAND.

On the motion for going into Committee of Supply,

Sir G. GREY moved, For the appointment of a Select Committee to inquire into the cost to the colony of the two missions of Sir J. Vogel to England. Such Committee to consist of Mr. Andrew, Hon. Major Atkinson, Mr. Lusk, Mr. Stevens, Mr. Rolleston, Mr. Rees, and the mover; with power to call for persons, papers, and accounts, and to report thereon within four weeks; five to be a quorum.

Major ATKINSON said he was loth to take up the time of the House when honorable members were anxiously waiting to hear the statement of the Government with regard to the finances; but to force forward the proposal of the honorable gentleman would mean either that they should waste a considerable amount of time, or agree to a motion which would result in the appointment of a Committee for a useless purpose. If the honorable gentleman would move for a return, he would obtain the whole of the information asked for; and he would undertake that it should be supplied as speedily as possible. He was not prepared for the motion, and certainly he was not prepared to assent to it. It would, he thought, suit the convenience of the House, if the honorable gentleman would, at any rate, postpone his motion till next day.

Mr. SHEEHAN hoped the honorable member for the Thames would accept the suggestion of the Premier. There was no desire to delay the delivery of the Financial Statement, and it would perhaps be better that the motion should be postponed, on condition that an opportunity should be given to discuss it next day.

Sir G. GREY did not expect any opposition, or he would not have proceeded with the motion. His impression was that the Ministry would have been delighted to support such a proposal. He felt sure that the honorable member for Timaru or the honorable member for Parnell would have thanked him for bringing forward a motion of the kind had they been in office. He would, however, agree to postpone it, on condition that he should be at full liberty to bring it forward next day.

Motion, by leave, made an Order of the day for next day.

ABOLITION.

On the motion for going into Committee of Supply,

Mr. REES moved, That copies of all telegrams, correspondence, and despatches between His Excellency the Governor and the Superintendents of Auckland and Otago, during the last four weeks, relating to the abolition of the provinces, and between His Excellency the Governor and the Secretary of State for the Colonies in reference thereto, be laid on the table of this House. They had had some of these documents placed before the House, but there were others which had not been produced, and he now asked that they should be laid on the table for the information of honorable members.

Mr. ROLLESTON would like to ask Mr. Speaker's ruling as to whether it was not usual to address His Excellency, in order to obtain documents of that kind from him.

Mr. SPEAKER said the honorable gentleman was quite right.

Mr. REES understood that they were in possession of the correspondence.

Major ATKINSON, on behalf of the Government, would undertake to lay the documents referred to on the table; that was to say, he would ask His Excellency's permission to do so.

Mr. REES asked leave to withdraw his amendment.

Amendment by leave withdrawn.

FINANCIAL STATEMENT.

The House went into Committee of Supply.

Clause IV.—Customs.

Customs, £41,595 3s. 6d.

Major ATKINSON.—Mr. O'Rourke: I desire, with the permission of the Committee, to take this opportunity of stating briefly the financial position of the colony, and of submitting for the consideration of the Committee the proposals of the Government for the current financial year.

The Financial Statement of my honorable friend the late Colonial Treasurer, and the tables accompanying that statement, give such full information as to the position of the Public Accounts, that I shall not have to trouble the Committee with much detail upon the present occasion; my object being to give a short and comprehensive statement of our financial proposals.

I will first consider the position of our Loans and Public Works Account, and then of our revenue and expenditure.

SALES OF DEBENTURES—

Immigration and Public Works Loan of 1873	...	...	...	...	...
General Purposes Loan, 1873	...	...	...	...	...
Immigration and Public Works Loan, 1870—	...	...	...	...	...
Imperial Guaranteed Debentures	...	...	...	...	...
Colonial Issues	...	...	...	...	...

£	s.	d.	£	s.	d.
500,000	0	0			
500,000	0	0			
800,000	0	0			
4,600	0	0			
1,804,600	0	0			

Deduct amounts chargeable thereon—

Advances, Bank of New Zealand	£200,000	0	0
Advances, Guaranteed Debentures	140,000	0	0

340,000	0	0	1,464,600	0	0
			28,750	0	0
			6,477	18	8
			1,750	11	7
			19,968	1	8

Moiety of Stamp Duties (six months)	...	...	...	...	...
Canterbury Branch Railways	...	...	...	...	...
Greymouth Corporation	...	...	...	...	...
Recoverable from Confiscated Lands Account	...	...	...	...	...

Total Ways and Means	...	...	...	...	...	£1,658,146	17	8
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Honorable members will observe that in this sum I have not included certain advances, amounting to £256,845 3s. 4d., repayable by the provinces. These advances are not an available asset, nor can any large part of them be recovered without taking revenue which it is now proposed to devote to local uses. I do not, however, propose to abandon these claims: they will be charged as a liability against each province; but honorable members will, I think, agree that they should be omitted as an asset from this account.

It will be seen that I have included in my available balance the proceeds of the £1,000,000 debentures recently disposed of in London. These debentures, as is shown by papers already in the possession of the House, bear interest at 5 per cent, and have been sold at, and a little above, par. I have also included the £800,000 of Imperial Guaranteed Debentures at their nominal value. I do not intend, at present, to sell these securities, but shall obtain advances upon them as heretofore, as occasion may require.

Of the available balance of £1,658,146 17s. 8d.,

LOANS.

PUBLIC WORKS ACCOUNT.

Honorable members are aware that by last year's legislation the unexpended balances of the Immigration and Public Works Loan and the General Purposes Loan were combined in one account, called the Public Works Account.

In Table G, to the Financial Statement of last year, honorable members will find that the balance to credit of the Immigration and Public Works Loan was £2,187,088 11s. 8d., and to the General Purposes Loan £67,062 8s. 4d., which together make an available total of £2,254,151 with which we began the year 1875-76. The transactions for the year are set forth in the Table B (1), attached to the Financial Statement of Sir Julius Vogel, which shows as the result a balance of £136,605 5s. 9d. at credit of the account. I accordingly begin my statement of Ways and Means for Public Works with that amount £136,605 5s. 9d.

I add to this sum the Ways and Means partly or entirely realized, but not yet brought to account. They are as follow:—

a large amount is required for works already under contract; and we propose to ask for appropriations to the extent of about £2,000,000, most of which will be required within the year. We would gladly ask for a less amount, and my honorable colleague the Minister for Public Works will endeavour to restrain expenditure as far as is compatible with prudence; but considering the urgency and importance of the works proposed to be executed, we do not think it wise to ask for less than the sum I have mentioned. Hence, it will be seen that additional Ways and Means, to the amount, in round numbers, of £350,000, will be required to carry on our public works and immigration during the current year.

DEFENCE LOAN.

A reference to the Table G, attached to the statement of my predecessor, will show that the Defence Loan Account was in debit on the 30th June in the sum of £125,918 10s. 2d. The sale of the £250,000 bonds recently disposed of in London will now place that account in credit,

and, after repayment of the sum of £50,000 advanced by the Bank of New Zealand, will leave a balance of £74,081 9s. 10d. available for expenditure. It is proposed to apply the sum of £30,000 out of this balance to the Defence services of the year.

CONSOLIDATED FUND.

EXPENDITURE.

In accordance with my promise, the Government have carefully revised the estimates, with a view to retrenchment, but find it impossible

suddenly to make reductions to any great amount. We have, however, reduced the proposed expenditure for the Colonial Departments by the sum of £34,370, full particulars of which I shall give in Committee. The Government will, during the recess, carefully consider the organization of all the departments, with the intention of reducing the expenditure as far as is compatible with an efficient service.

The proposed expenditure for the year is as follows:—

EXPENDITURE, 1876-77.					£	s.	d.	£	s.	d.
Civil List	...	...	...	...	...	...	...	29,750	0	0
Permanent Charges	...	...	...	...	1,075,184	2	5			
Less Interest on Provincial Loans for twelve months, and on Railways for six months	...	...	...	...	291,765	5	11			
								783,418	16	6
Class I.—Public Departments	...	...	...	...	90,104	4	6			
II.—Law and Justice	...	...	...	...	162,448	15	5			
III.—Postal and Telegraph	...	...	...	...	227,424	0	0			
IV.—Customs	...	...	...	...	78,166	2	3			
V.—Miscellaneous	...	...	...	...	62,821	0	0			
VI.—Native	...	...	...	...	34,985	18	4			
VII.—Militia and Volunteers, Armed Constabulary, and Contingent Defence	...	...	...	...	78,610	10	0			
VIII.—Public Domains and Buildings	...	...	...	...	30,711	4	0			
IX.—Railways	...	...	...	...	260,758	6	8			
X.—Municipalities, Road Boards, &c.	...	...	...	...	75,000	0	0			
								1,096,030	1	2
Capitation and Special Allowances (six months)	...	...	...	...	...	...	...	150,000	0	0
Moiety of Stamp Duties (six months)	...	...	...	...	...	...	...	28,750	0	0
Total	...	...	...	...	...	...	...	£2,087,948	17	8

Provision has been here made for continuing such of the provincial services, and for the employment of such of the officers of the Provincial Governments, as it has been thought necessary to retain; but to avoid the possibility of embarrassment, power has been taken in the Financial Arrangements Bill to continue other services should it be found desirable to do so. The Government believe that a very large saving will be ultimately made by the amalgamation of the General and Provincial services.

As it is impossible to pass a complete Education Bill this session, and as it is now only necessary to provide for the six months ending on the 30th June next, it has been determined to leave the charge for education upon the Land Fund, the fees where now payable to the Provincial Governments going in aid of that fund. I hope honorable members will approve of this arrangement. The Government desire to see education, so far as it is not maintained by endowments, provided for from the Consolidated Revenue; but, looking at all the circumstances of the colony, they have come, with regret, to the conclusion that the cost of education for the present year must be a charge upon the Land Fund.

I may here state that it is intended to provide out of the Consolidated Fund for the whole cost of the administration of the gold fields, and the sum has accordingly been included in the estimated expenditure for Law and Justice. The gold fields revenue is thus released from all lia-

bility, and will be divided amongst the several counties in which it is collected.

It will be observed that only six instead of nine months' subsidies are asked for Municipalities and Road Boards. But, as it would be manifestly unfair that these bodies should suffer by the alteration, I propose to ask for authority to charge the other three months' subsidies against the revenue receivable on account of the provinces to the 31st December next.

REVENUE.

I now come to the consideration of the Consolidated Revenue. I shall take as my starting point the balance of £121,234 13s. 2d. with which the Treasury closed its accounts on the 30th June last. I add to this sum the assets of the year 1875-76 unrealized at that date, amounting to £19,228 15s. 2d., and deduct therefrom liabilities to the amount of £90,410 12s. 2d. then outstanding, which gives us a surplus of £50,052 16s. 2d. with which to begin the year.

But before proceeding further, I desire to say that we adhere to the policy of our predecessors with regard to taking over the railways, general and provincial, and charging 2 per cent. against the District Land Fund, for the total expenditure upon the lines within each district.

We have, then, an available balance of £50,052 16s. 2d. with which to commence the financial year 1876-77, and I estimate the revenue of the year as follows:—

<i>Revenue, 1876-77.</i>		£
Customs Duties, Rents, Seizures, &c. ...	1,240,000	
Bonded Stores ...	5,500	
Fees, Marine Act, Light Dues, &c. ...	17,350	
Pilotage Rates, Harbour Dues, &c. (6 months)	6,667	
Stamp Duties ...	115,000	
Postal ...	96,000	
Telegraphic ...	67,000	
Judicial ...	38,000	
Fees—Registration of Land ...	12,500	
Registration of Deeds ...	15,500	
Registration of Births ...	5,500	
Crown Grants ...	6,000	
Fees and Fines, Sheep Inspection (6 months)...	5,000	
Fees—Miscellaneous ...	2,500	
Railways—(Colonial, 12 months; Prov. 6 months)	345,000	
Incidental Receipts ...	40,000	
Miscellaneous Revenue—Provincial (6 months)	13,333	
	£2,088,850	
Transfer from State Forest Account ...	10,000	
Recoveries for Interest on Railways (6 months)	50,000	
	£2,066,850	

With one exception, I have accepted the sums set down by the late Treasurer as my estimate of the revenue of the present year. From the Customs revenue I have thought it prudent to deduct £20,000, owing to the fall in the price of wool. I hope, however, considering the improved prospects of the gold fields, that this item of revenue will yet reach the original estimate. I have added to the receipts a sum of £10,000, which I propose to restore to the revenue out of the £15,000 transferred last year to the "State Forests Account." The estimate of receipts for services taken over from the provinces are for six months only, as those receipts will remain provincial revenue until the 31st December next.

As I have said, the balance with which we begin the year is £50,052 16s. 2d. The total revenue of the year is £2,086,850. The transfer of £10,000 from the State Forests Account, and the recoveries for interest at 2 per cent. on the railway expenditure, £50,000, will bring up the receipts of the year to £2,096,850, to which I add the balance of £50,052 16s. 2d., and make up a sum of £2,146,902 16s. 2d. Deducting therefrom the estimated expenditure, amounting to £2,087,948 17s. 8d., we obtain £58,953 18s. 6d. as estimated surplus, from which, however, we shall have to provide for additional expenditure, to be submitted in the supplementary estimates.

The smallness of this surplus will occasion no surprise, when it is remembered that for a long time past the colony has been paying, out of revenue, interest on railway works in course of construction; and, at the present time, although we have raised and have in course of expenditure upon railways about £7,000,000, we can only recover interest from the Land Fund on moneys expended on completed lines, and that only from the 1st of July next after their completion. Under the existing law, interest can only be charged upon £3,500,000 out of the £7,000,000; or, in other words, we are paying out of Consolidated Revenue about £180,000 a year for interest, which, according to the original scheme of Public Works, should be a charge upon the Land Fund.

The time is, however, fast approaching when the whole of our railway expenditure will become reproductive, and the Consolidated Revenue will

thereupon be relieved of a considerable portion of the annual burden of interest now cast upon it. So soon as this result shall have been accomplished, the Consolidated Revenue will be in a position to bear those charges for educational and charitable services which the Government reluctantly propose to place for the present on the Land Fund.

LAND FUND.

I now come to the consideration of the Land Fund, against which it is proposed to charge interest and sinking fund on provincial loans and liabilities, surveys, and waste lands administration, half subsidies to counties and Road Boards; and, for the six months ending 30th June next, education and museums, and one-half the maintenance of hospitals and charitable institutions. I append tables showing the estimated receipts and charges in each province for six months. The result is not very satisfactory, showing as it does deficiencies in most of the provinces, amounting altogether to about £145,000, which will have to be made good from Consolidated Revenue. It is a noteworthy fact that Canterbury, which has always maintained a uniform and high price for land, will now have a surplus of about £75,000 for the six months.

To make good the deficiencies to which I have referred, there will be the surplus of the Consolidated Revenue, and for the balance it will be necessary to issue Treasury bills, as contemplated in the Abolition Act of last session. This is not, to my mind, a satisfactory method of finance; but, much as I may dislike the mode by which I propose that the exigency shall be met, I am encouraged by the conviction that the necessity is but temporary, and that the expedient adopted is justified by the peculiar circumstances of the case.

It is but right that the Land Fund, where able, should bear its legitimate burden; and although in many cases it is at present unequal to the charge, it is reasonable to expect that, under an amended land law, the fund will materially improve. I hope, also, for the reasons I have given, that the Consolidated Revenue will shortly be in a position to relieve the fund of the temporary charges cast upon it.

In providing for the impending changes, the Government has to face the difficulties arising from the fact that for some time past the expenditure of many of the provinces has been considerably in excess of their ordinary income, and that the colonial expenditure has been greatly augmented by the demands of the provinces.

It will be the endeavour of the Government to remedy those errors in finance which have been the natural outcome of our partnership with the provinces. The remedy must, however, be applied gradually, and the cure will no doubt take time. We have not only to redeem the errors of the past, but to mark out a wiser course for the future. Our unproductive expenditure must be kept strictly within our ordinary income, and the several sources of our revenue must each be made to bear its own legitimate burden. The Consolidated Fund should be liable for the cost of those services which minister to the "peace, order, and

good government" of the community; and the Land Fund should be responsible for those charges which provide for the acquisition, settlement, and development of our real estate.

PROPOSALS.

I wish, Mr. O'Rorke, I could inform the Committee that it was unnecessary to ask for further borrowing power this year, but that, I regret to say, is practically impossible. It would be so manifestly unwise to stop at this juncture the important works now approaching completion, that I do not hesitate to ask for further funds to continue them.

Our proposals are, to ask authority to raise £1,000,000 for the following purposes:—£350,000 additional Ways and Means required for public works to July next; £250,000 to provide for probable contract and other liabilities of the provinces requiring to be met between December and June next, the actual amount of which I have no means at present of ascertaining, and which I hope I may have over-estimated; and £400,000 for such expenditure as the House may direct between the close of the present year and the date at which funds for the continuance of our public works can be provided. I do not intend, as was proposed by the late Government, to borrow moneys to make good the large sum, amounting to over £500,000, due by the provinces to the colonial revenue and to the Public Works Account, but shall hold that indebtedness as a direct liability of the provinces concerned to the colony. We have reason to believe that all the funds we shall require can be obtained without having recourse to the open market. If our expectations on this point are realized, we shall not attempt to place the loan before next session, unless it should be found advisable, for other reasons, to adopt that course.

I shall next session submit to the consideration of the House a scheme based upon carefully-prepared professional estimates, showing definitely and in detail what works are required to complete our railway system, and the cost of such completion; and I shall then ask the House to consider the arrangements necessary for completing the scheme. I shall propose to spread over a series of years the raising and expenditure of the moneys required, and thus to keep the annual charge for interest on the debt within the compass of our growing income.

In conclusion, Mr. O'Rorke, there is much on which I congratulate the country. In the social and moral condition of our population we have reason for contentment. Notwithstanding the serious fall in the price of wool, our material prosperity is steadily advancing, and I am convinced that our commercial operations were never conducted on a sounder basis. We have passed the most trying period of the year without difficulty, employment being plentiful throughout the winter, and at good wages. The gold fields, not only on the West Coast, but in Otago and Auckland also, show the most satisfactory signs of an increasing productiveness. No one can now reasonably doubt the success of the Immigration and Public Works scheme; but in order to reap the full benefit of that scheme, now within our reach, we must exercise a moderate self-restraint in our future operations.

I trust the Committee will approve of the proposals which I have now submitted; for while the Government are deeply impressed with the necessity of steadily continuing our public works and immigration, they are not the less convinced of the necessity of a prudent and careful finance; and I hope that our endeavours to reconcile these objects will have the support of the House and of the country.

ESTIMATED RECEIPTS of the LAND FUND for Six Months ending 30th June, 1877, with Charges estimated for the same period, and the Balance shown.

PROVINCE.	LAND SALES.			LICENSES, RENTS, &c.			EDUCATION.		TOTAL RECEIPTS, LAND FUND.	CHARGES.	NET BALANCE.
	Ordinary.	Confiscated.	Total Land Sales.	Ordinary.	Confiscated.*	Fees and Duties, Native Lands.	Fees and Rents.				
							£	s.	d.	£	s.
Auckland	730 0 0	16,000 0 0	16,730 0 0	200 0 0	...	1,000 0 0	4,025 0 0	21,955 0 0	82,283 6 9	Dr. 60,338 6 9	
Taranaki	8,600 0 0	16,000 0 0	24,600 0 0	...	...	500 0 0	425 0 0	25,025 0 0	11,884 11 3	Dr. 13,130 8 9	
Wellington	7,300 0 0	4,000 0 0	11,300 0 0	...	...	120 0 0	2,025 0 0	13,655 0 0	60,688 13 7	Dr. 46,833 13 7	
Hawke's Bay	12,800 0 0	...	12,800 0 0	300 0 0	...	...	880 0 0	13,680 0 0	16,874 1 6	Dr. 3,284 1 6	
Nelson	2,600 0 0	...	2,600 0 0	4,000 0 0	...	...	1,640 0 0	8,240 0 0	26,717 7 8	Dr. 18,477 7 8	
Marlborough	600 0 0	...	600 0 0	3,100 0 0	...	...	375 0 0	4,135 0 0	7,461 7 8	Dr. 3,526 7 8	
Canterbury	100,000 0 0	...	100,000 0 0	40,300 0 0	...	...	11,860 0 0	163,160 0 0	77,053 3 6	Dr. 76,106 16 6	
Westland	2,600 0 0	...	2,600 0 0	1,100 0 0	...	...	780 0 0	4,380 0 0	19,306 12 9	Dr. 14,926 12 9	
Otago	56,800 0 0	...	56,800 0 0	45,000 0 0	...	...	14,140 0 0	115,440 0 0	114,196 14 6	Dr. 1,244 5 7	
Totals	180,960 0 0	36,000 0 0	226,960 0 0	94,000 0 0	...	1,620 0 0	36,160 0 0	368,770 0 0	416,483 18 6	...	

* About £300. No information upon which to base estimate sufficiently reliable.

PROPOSED CHARGES on LAND REVENUE for the Six Months ending 30th June, 1877.

—	Auckland.		Taranaki.		Wellington.		Hawke's Bay.		Nelson.		Marlborough.		Canterbury.		Westland.		Otago.		Totals.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Crown Lands Department	745 0 0	...	843 10 0	...	962 10 0	261 0 0	662 10 0	...	662 10 0	...	160 0 0	...	825 0 0	...	425 0 0	...	3,800 5 0	9,703 15 0	...	...
Receivers of Land Revenue	50 0 0	...	...	...	50 0 0	33 6 8	75 0 0	...	75 0 0	...	25 0 0	...	290 0 0	...	25 0 0	...	3,175 0 0	633 6 8	...	...
Education	16,687 0 0	...	3,117 0 0	...	12,850 0 0	9,333 0 0	8,060 0 0	...	8,060 0 0	...	8,833 0 0	...	26,817 0 0	...	5,300 0 0	...	28,251 0 0	107,218 0 0	...	...
Recurrent Liabilities	...	...	103 10 0	...	1,710 0 0	...	680 0 0	...	680 0 0	...	...	...	200 0 0	...	...	...	80 0 0	2,773 10 0	...	...
Surveys	17,743 15 0	...	3,668 18 9	...	20,373 17 6	3,135 18 9	5,475 0 0	...	5,475 0 0	...	500 0 0	...	12,056 0 0	...	2,095 0 0	...	10,914 0 0	76,983 10 0	...	...
Interest on Provincial Permanent Debts	24,579 18 9	...	1,026 19 0	...	8,624 18 2	3,339 3 2	3,624 9 4	...	3,624 9 4	...	625 10 8	...	6,835 7 0	...	3,172 3 3	...	36,392 15 0	89,731 3 4	...	...
Subsidies to Road Boards	9,410 0 0	...	1,040 0 0	...	6,770 0 0	1,940 0 0	3,100 0 0	...	3,100 0 0	...	860 0 0	...	13,915 0 0	...	980 0 0	...	9,915 0 0	49,000 0 0	...	...
Allowances to Superintendents	7,468 0 0	...	820 0 0	...	6,754 0 0	2,917 0 0	2,168 0 0	...	2,168 0 0	...	1,531 0 0	...	11,103 0 0	...	1,169 0 0	...	17,443 0 0	51,393 0 0	...	...
Native Land Court—say	1,519 7 6	...	379 18 10	...	1,128 11 11	1,128 11 11	2,702 8 4	...	2,702 8 4	...	1,436 16 6	...	1,436 16 6	...	118 5 0	...	843 10 0	6,789 18 6	...	...
Surveyor-General's Department—say	233 10 0	...	233 10 0	...	640 0 0	379 18 11	379 18 11	...	379 18 11	...	25 0 0	...	6,210 0 0	...	1,315 0 0	...	9,685 0 0	17,135 0 0	...	...
Hospitals, Benevolent and Charitable Institutions	2,460 0 0	...	280 0 0	...	1,000 0 0	300 0 0	...	...	1,965 0 0	...	250 0 0	...	875 0 0	...	...	...	2,000 0 0	3,100 0 0	...	...
Museums—say	200 0 0	...	...	...	...	...	...	...	25 0 0	...	...	...	...	...	...	...	...	...	...	...
Totals	52,283 6 9	11,694 11 3	90,688 13 7	16,874 1 5	26,717 7 8	7,461 7 3	77,053 3 6	18,305 12 9	114,196 14 6	416,483 18 6	...	...	...	...	...	...	...	...	...	...

* Includes a proportionate distribution of £2,334, grant in aid of higher educational establishments.

Item, Customs, £41,595 8s. 6d., agreed to.
Marine, £31,570 18s. 9d.

Mr. MONTGOMERY said there were some items in this department which might be agreed to, but there were other items upon which discussion might take place. He would like to know when they could go into the general question of finance. Of course, honorable members could not discuss finance until they had the honorable gentleman's figures before them.

Mr. REYNOLDS said it had been the practice for the estimates in the Customs Department to be classified under the Civil Service Act. It was usual to give the officers a small additional allowance, and he hoped the Commissioner of Customs would take the matter into consideration, and place a sum on the supplementary estimates.

Mr. STOUT said it was only fair that the reductions which had been made should be specified. It was perfectly impossible to understand a vote given in a lump sum. They had salaries put down as yearly salaries. If the honorable member meant to reduce all these salaries by one-half, then the reduction would be more than stated. Where the salaries were an increase from the amount voted by the Provincial Governments, that ought to be shown on the estimates. He thought the expense for the weather reports and storm signals could be done away with altogether. It would be quite sufficient for each telegraph station to forward telegrams with regard to the state of the weather, as was now done and published in the newspapers every day. This department was not at all wanted. In fact, its reports were generally wrong instead of right, and the item might be very well struck out, as the department was altogether useless.

Mr. MANDERS thought the Weather Department was a most useful one, and if it were possible he would feel inclined to move that the amount should be increased. He trusted that no circumstances would prevent the Commissioner of Customs encouraging that department as much as possible to continue its work, which was not only useful in the colony itself, but to the neighbouring colonies. He desired to call attention to the item "Expenses under 'The Naval Training School Act, 1874,' £3,372," which showed a reduction of nearly £1,000 on the previous year's vote. That, to his mind, was taking a wrong step; the Commissioner of Customs had no better department under his control than this, which would educate the youth of the colony to become seamen. Looking to the large extent of seaboard of the colony and the large number of ships employed in trading along it, he thought the House should consider the items under this head more carefully than they had hitherto done. He knew lads in the interior of the country who were most anxious to apprentice themselves and become good seamen. If the colony could afford to pay £5,000 for the "Stella" and £24,000 for the "Hinemoa," surely it might expend some more in instructing its youth in becoming seamen. He was surprised to hear that the "Southern Cross," the vessel obtained for this purpose, he believed, by

the honorable member for Port Chalmers, was unfitted for the purpose.

Mr. READER WOOD quite agreed with the honorable member for Dunedin, and disagreed with the honorable member who had just spoken with regard to this Weather Department. It had become a perfect farce and ridicule in every direction. Telegrams were sent that you must look out for storms when beautifully fine weather ensued; and when you were told that that there was going to be fine weather, there were sure to be storms. During the last week there had been the only really fine weather in Wellington for the last four months; yet telegrams were sent one day that tremendous gales were to be expected from the north-east and the next day from the south-west, that no vessel was to leave port on the East Coast, and that all vessels in harbour on the West Coast were to remain, because storms of an awful nature were coming from all directions. Whether the department was badly managed and the people in charge of it were incompetent, or whether, as he firmly believed, the weather was so local in different parts of the colony that it was impossible to say one day what the next day would be, he did not know; but certain it was that everything this department did was a waste of time. He would move that the item be reduced to so much as would be necessary to pay the expenses of the department only for four months of the present financial year.

Mr. REYNOLDS said, if the honorable member for Dunedin would only devote his attention to this department, he would not propose such a reduction or offer such remarks as he had made with regard to it. The honorable member for Parnell was also mistaken in what he said about these telegrams relating to Wellington. The warnings issued during last week were not given to Wellington, but to various other parts of the colony, and indicated what sort of weather was to be expected in the different places. About 78 per cent. of these forecasts were correct. He felt perfectly certain that if the Committee were to strike off this item it would give great dissatisfaction. The department had been the means of greatly reducing the risk of vessels calling at Oamaru, Timaru, and all open roadsteads. It was yet in its infancy, and in the course of a few years would be appreciated even more than it was now.

Mr. BARFF thought the Committee ought to have more information upon the items upon which honorable members were asked to vote, and particularly upon that one which was now under discussion. It would be very interesting to have a return of the number of forecasts made, and the proportion that were correct. He would be very sorry by his vote to increase the danger to shipping on the New Zealand coast; at the same time he felt very strongly that this department was useless. He would like further to know what the meaning of the item "Salaries of thirty-one reporting officers at out-stations, £452" was—whether those officers were connected with the Customs Department or the Harbour Department, and why there was an

increase over last year. He would also ask whether, in the vote for Lighthouses, there was a sum proposed for a lighthouse at Hokitika.

Mr. G. McLEAN said there was not an item proposed for a lighthouse at Hokitika, because we had no lighthouse there yet. The Government had received a protest against the erection of a lighthouse there, and did not intend to proceed with the work at present, at all events until further inquiry could be made; having no lighthouse erected there yet, there was no need to have a keeper's salary on the estimates. With regard to the Weather Department, he thought it would be very inadvisable to strike the item off. From what he had heard from seafaring men, he believed these forecasts were most useful in open roadsteads, and he would ask the Committee not to strike the item off, because he believed in time this would prove a most useful department. If the honorable member for Dunedin would look through the estimates, he would see that they were reduced in the instances he referred to by one-half, so as to provide for six months' salaries only.

Mr. MACFARLANE had had a good deal of experience of this Weather Department, and had come to the conclusion that it was worse than useless. Having been connected so much with steam-boats and insurance in Auckland, he could say that not one telegram out of six sent to that place was correct. It was quite likely that in such places as Oamaru and Timaru telegraphed reports indicating the weather might be of value. But if a south-west gale were coming up it could be reported from the telegraph office at Dunedin, and if a north-east gale were coming on it could be reported from Wellington. As far as Auckland was concerned the reports were useless, as the gales prevalent in the other parts of the colony did not reach them. If the department were to be retained, it would be much better to place it in the hands of the harbour-masters, who could give more correct information, and in whose hands it would cost nothing. The department was a perfect farce; and there was another office of a similar character—namely, that of Secretary of Customs, who was also called Officer in Charge of the Marine Department. This gentleman had prepared a report which cost £1,500, and this was the production of twelve months' work.

Mr. G. McLEAN was sorry to hear the honorable gentleman speak in that strain of the Secretary of Customs, who was a very old and efficient officer. He had been absent on leave during the last twelve months, and, instead of spending the whole of his time in pleasure, had collected a great amount of information which would be exceedingly useful to the colony.

Mr. BARFF pointed out that his questions had not been answered. The first was as to the salaries of the thirty-one reporting officers at out-stations. He wished to know whether they were to be Custom officers or harbour-masters. The next question he put was as to the keepers of new lighthouses. He was surprised to hear that the salary of the lighthouse-keeper at Hokitika was not included, and he hoped the Government

would state why they had changed their opinion in regard to the lighthouse at that place.

Mr. MACFARLANE did not say that the Secretary of Customs was not a good officer; but if he could absent himself from his duties for twelve months, surely that was a very good proof that he was not wanted.

Mr. HUNTER said that those who had any knowledge of the Secretary of Customs would admit that he was one of the most devoted, trustworthy, and reliable public servants in the colony. He differed entirely from the honorable member for Waitemata as to the value of the Weather Department. Speaking of its value as affecting vessels trading out of Wellington, he could bear testimony to the fact that it had been of immense service. He hoped the expenses of the department would be increased rather than reduced, and that the suggestion of the Chief Officer, that daily communication should be held with the Australian colonies, would be adopted. The cost would not be more than \$450 or £500 per annum, and that would be money well expended. He would remind the honorable member for Waitemata that many valuable vessels and many lives had been lost on the coast—losses which would possibly have been averted had the department been in existence in the earlier days of the colony.

Mr. HODGKINSON said the predictions of the department might not have been verified in all cases, but New Zealand was no exception in this respect. The Weather Departments in England and North America had been of great service; and although the cost of the department here was £1,500, the saving of a single ship would counterbalance that.

Mr. SHEEHAN quite agreed with what had fallen from the honorable member for Wellington City (Mr. Hunter) with regard to the Secretary of Customs, and should support the vote for the Weather Department. The late Commissioner of Customs did some useful things during his term of office, and the establishment of this department and of the training ship were amongst them. The natural outlet for a large proportion of the youthful population of this colony ought to be the seafaring service, and every effort ought to be made to maintain the efficiency of the training ship, with the object of converting the city Arabs into useful members of society.

Sir R. DOUGLAS said he did not see the use of keeping up the Weather Department, because it all depended upon chances and probabilities.

Mr. READER WOOD said that if that was the case the department was very dear at £1,520 a year. If the Weather Office were properly conducted it would not depend on chances and probabilities, but on practical experiments. As far as he was aware, the officers in charge of the Weather Department here were not able to forecast—they could tell what the weather was yesterday, but they could not tell what it would be to-morrow. The honorable member for Port Chalmers stated that 75 per cent. of the predictions proved correct. But what of that? The Commissioner of Customs defended the department of the Secretary of Customs, but he did so be-

cause that office did his work—in fact all matters were referred to him. The House was told that the Secretary of Customs had done such and such things for the colony; and yet only a short time previously he was told that the late Prime Minister had done the very same things, and probably to-morrow they would be told that somebody else had done them. A few months ago three Civil servants were sent round the colony to report upon it, and when he (Mr. Wood) came to Wellington he expected to see a report which it would be a pleasure and a delight for him to read; but what did the Premier, who sent those gentlemen round, say of their report? He as good as said that they were three big fools, and that the report they sent in was useless and not worth the paper it was written on. When any member proposed a reduction in the salaries of the Civil servants, he was told that they were the ablest men in the world. In the lobbies Ministers said, when they were asked why they did not get their Under Secretaries to do certain work, that the Under Secretaries were of no use; but inside the House Ministers said they could not be done without. Why did not Ministers come down and tell the House that, to keep up their departments and pay the salaries of their officers, they had to issue Treasury bills? Then honorable gentlemen could see what salaries they were paying, and what services were rendered by those who were drawing the salaries. They would not be doing their duty if they allowed a single item of £500 to pass unless it was absolutely necessary. If the honorable gentleman had come down that night, and, while making his Financial Statement, had said that he would reduce every salary of over £200 a year by one-third, he would have supported him. If the officials did not like this, they could have gone. The Government should have done as the Duke of Wellington once did under similar circumstances. He reduced the salaries of the Civil servants, and when he was told they would leave the Government service, he threatened to fill their places with pay-sergeants; but not one of them did leave. The maudlin sentimentality and bad finance which they heard that night was not only a disgrace to the honorable gentleman who uttered it, but a greater disgrace to the honorable gentlemen who heard it, and who were bound to support it.

Mr. MOORHOUSE had no doubt that, if the honorable gentleman who had last spoken were in office, he would be found standing by such estimates as were necessary for carrying on the business of the country. He could not conceive how the honorable member for Waitemata had got the idea that the office of Secretary of Customs was an unnecessary one. He understood that it was the intention of the honorable members for Parnell and Waitemata to move that this vote be struck out, but he could not see how that could be done. It would really be deplorable if there was not an able man like Mr. Seed to carry on the business of the department. During the last twenty years he had heard the honorable member for Parnell express opinions very different from each other. The country could not get on without a Secretary of Customs; and it was a matter

for congratulation that such an able officer as the present Secretary filled the office. He did not believe in this cheap cry, this roaring out against the Civil Service, which was adopted in such a barefaced and inconsiderate manner by public men who had never done anything but make mischief in the country. The Civil Service was composed of men of refinement of mind and manner, and of integrity and industry, and, considering the class they represented socially, the wages they received was not at all excessive. How would the honorable member for Parnell, whose abilities would probably entitle him to be rated as a clerk at £250 a year, with his refinement, his excellent taste, and his tendency for good society, manage to conduct his household and bring up his family on £5 a week? Every Civil servant ought to be a gentleman, from the lowest clerk in the service to the Premier. The Civil Service ought not to be put into the degrading position of being looked upon by all uneducated people in the colony as a helpless lot of paltry dependents upon the charity of the nation. They ought to be regarded in their true light—as the sergeants of the army, as the backbone of the public service; and they ought to be paid in proportion to their deserts.

Mr. SWANSON said one would think, from the Civil servants being described as unfortunate and being commiserated, that they were pressed into the service instead of the contrary being the case. Whenever there was a vacancy in the service, there was a great struggle of applicants; and if a Civil servant wanted money, the inducement he offered was that he had a Government situation. With regard to the item under consideration, he knew nothing of the gentleman at the head of the Weather Department; but his opinion was that the situation was made for somebody who had got friends to make the place for him. It was absurd to send weather indications to windward, and the only good that could be done was to send them to leeward. He hoped the return of the working of the system would be made by the department. Let the office make out a return of its prophecies, and people outside say if the weather had justified them. He was convinced there was no necessity for this officer, and that the gentleman who gave the clerical assistance performed all the real work of the department.

Mr. REYNOLDS said the Government did not proceed with this department without making full inquiries. On the 5th July, 1875, he sent a circular to the different stations requesting reports to be furnished as to the accuracy or otherwise of the warnings, and had received, on the whole, satisfactory answers. (The honorable gentleman read the letters referred to.) These reports showed that the Government had not extended the expense of this department without first ascertaining from the harbour-masters that the storm warnings had been advantageous. Experience had proved that most of the warnings were correct; and if the department were abolished, it would cause very great dissatisfaction to persons interested in shipping, especially in regard to open roadsteads. The department

had only been in existence two years, and the reports he had read were a year old. He had not been able to look up the reports for this year; the objections raised came upon him quite unexpectedly.

Mr. STOUT never liked to attack any individual officer, because they were not present to defend themselves, and, if an officer was said to have acted wrongfully, he ought, under the Civil Service Act, to have an opportunity of obtaining an inquiry into his conduct. That was a very different thing from a question as to the salary of an officer for the use of a department. Probably the honorable member for Christchurch City (Mr. Moorhouse), as an old Civil servant, felt a sort of *esprit de corps*, and was thereby induced to defend the service. As to the weather reports, he might say he had spoken to several nautical men who knew the coast well, and they said that having the state of the weather at each port telegraphed every morning was of great service, because from that they could forecast for themselves what the weather would be. They could do that better than any gentleman sitting in Wellington, simply summing up the results from other places and sending out opinions which often were of no value at all. It appeared to him that if a strong northerly wind was blowing at Napier it would soon be felt at Wellington; and when a south-west gale was reported from the Bluff, it might be assumed that it would soon reach Dunedin, and travel along the coast. If the harbour-masters, and perhaps telegraphists where there were no harbour-masters, were simply to telegraph the state of the barometer along with the direction and strength of the wind every morning, every shipmaster who had been any time upon the coast of New Zealand could tell what the weather was likely to be as well as a captain sitting in any port in the colony. The department was utterly useless. He would move that the amount be reduced by one-half, and that would allow the Government time to wind-up the department. The harbour-master in Wellington could do all that the department did now, and it was not necessary to have an officer in charge, with a clerk. He found that the reprinted estimates showed increases and not decreases; and what was wanted was a reduction of officers rather than a reduction of salaries. Really, the only way to get at a reduction in the Government expenditure was to limit the functions of the Government, and allow the people to do things for themselves without going to the Government.

Major ATKINSON trusted that the item would not be reduced. The department afforded the means of collecting very useful information. If only 50 per cent. of the warnings were correct, the money was well spent, in order to ascertain the laws that governed the winds in this colony. There was no doubt that this, in many instances, could only be learned by the study of years, and the sooner the work was commenced the sooner would the knowledge be obtained. He was much struck by a circumstance which lately occurred showing the necessity for this department: An immigrant ship, bound for Taranaki, ought to

have landed her immigrants there, but the captain came on to Wellington. When approaching Taranaki he was in the midst of what was almost a hurricane, but it was calm at Taranaki. Since then it had been ascertained that many storms travelled along that coast in a most extraordinary manner, making strange curves. The Committee could not do better than continue a department such as it was known had led to very great results in the old country. In America, weather reports were published every morning in many of the papers, and they afforded an immense advantage to agriculturists as well as to nautical men.

Mr. MONTGOMERY understood that the sum of £450 was for instruments that had been ordered. That expenditure would not be incurred again, and the total annual cost would only be about £1,000. If the department resulted in the saving of but one little vessel it would be worth far more than its cost. He trusted the vote would not be struck out.

Mr. W. WOOD said there was no doubt a very important principle involved in this question. He desired to know whether every effort had been used, by carefully studying the reports and recording the results, to ascertain the laws that ruled the storms in the colony. If that had been done, the money had been well expended.

Mr. BARFF was informed that some representation had been made to the Government regarding the erection of a lighthouse at Hokitika. He would like to know whether the Commissioner of Customs would lay the protest received upon the table, or allow himself and his colleague to see it. He was convinced that the so-called protest was a tissue of misstatements, made probably on the authority of one or two interested individuals.

Mr. ROWE said the statement of the Commissioner of Customs was the strongest argument that any member could use in favour of the reduction of the estimates. He stated that the Secretary of Customs had so organized his department, and so carried out the work in connection with it, that, although the revenue had considerably increased, he was able to do the work with a less amount of labour. The impression throughout the country was that all the departments of the Government might be so organized, and that reductions should take place with regard to them. It was altogether out of place for the honorable member for Christchurch to discuss the question of the Civil Service in connection with this vote. There was no disposition to reduce the salaries of the Civil servants, or to make any attack upon them. There was an impression that, if one-third of the Civil servants were dispensed with, the work could be conducted as efficiently and as well as at present. He believed the Government were of the same opinion. A number of members had come to this House determined to reduce the cost of the Civil Service. It was easy to say that Ministers were responsible; but honorable members were also responsible. The Civil Service had been for years past costing a great deal more than it ought to do; and there was a necessity for cutting off one-third of them. The cost of the Civil Service might be reduced at least £20,000.

Mr. KENNEDY thought the remarks made by the honorable member for Hokitika (Mr. Barff) with reference to the Hokitika lighthouse might have some reference to the objection he had made to the erection of the lighthouse. He understood that lighthouses were usually erected at the instance of master mariners, who reported the necessity for erecting them. He was not aware that any application had been made for the erection of a lighthouse in that part of the country. There was no necessity for it for the port of Greymouth; and if erected, the shipping resorting to that port would be taxed for the light. He did not express his own opinion only, but the opinion of more than a dozen master mariners trading to the West Coast, that the lighthouse was altogether unnecessary. However, his objection to the erection of the lighthouse in question was on behalf of the shipping of the port of Greymouth, with which he was connected; and he was reliably informed that the erection of such a light, instead of being a benefit to shipping, would be positively injurious; for lighthouses being usually erected on headlands, and the proposed site being rather a bight, there was therefore some danger that shipmasters approaching the shore might not be able to get off again.

Mr. STOUT observed an item, "Lighthouse tender 'Stella,' working expenses, £2,000." He did not observe any vote taken for the "Hinemoa" steamer.

Mr. G. McLEAN said the item was included in the item "Miscellaneous." The "Stella" steamer was to be used in visiting the various lighthouses, and keeping them furnished with supplies.

Mr. STOUT did not know whether the Commissioner of Customs had received the report of the Harbour-master at Otago with regard to lighthouses. That officer advocated the plan of having small inexpensive lights, such as were at Oamaru, along the coasts. They would be suitable for shipping, and would be comparatively inexpensive. If this plan were adopted, there would be a saving to the colony of several thousands a year.

Mr. REYNOLDS did not think any one would grudge the cost of the lighthouse tender. The steamer would be continually employed for the next two or three years.

Mr. MACFARLANE said that the lighthouse charges were exorbitant. The charges in the Gulf of Hauraki were so exorbitant that they would have the effect of preventing steamers from trading there. The telegraphing could be more usefully done by the harbour-masters, and without any cost to the country. He did not think the department was at all wanted.

Mr. BARFF hoped the Commissioner of Customs would lay on the table that special protest. As representative of a constituency which was largely interested in the matter, he would like to know why the Government had broken faith with the district in regard to erecting a lighthouse at Hokitika.

Mr. G. McLEAN said the Government had not broken faith in the matter. They did not

say they would not erect the lighthouse, but, after the protest which had been made to them, they must make some inquiries into the subject.

Question put, "That the item 'Expenses of weather reports and storm signals, £1,517,' be reduced by £758 10s.;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	45
Majority against ...					27

AYES.

Mr. Baigent,	Mr. Richmond,
Mr. Barff,	Mr. Rowe,
Mr. J. C. Brown,	Mr. Shrimski,
Mr. Gibbs,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. R. G. Wood.
Mr. Hursthouse,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Larnach,	Mr. Macfarlane,
Mr. Nahe,	Mr. Stout.

NOES.

Mr. Andrew,	Captain Morris,
Major Atkinson,	Mr. Murray-Aynaley,
Mr. Ballance,	Mr. Ormond,
Mr. Bowen,	Mr. Pearce,
Mr. Bryce,	Mr. Pyke,
Mr. Carrington,	Mr. Rees,
Mr. Curtis,	Mr. Reid,
Mr. De Lautour,	Mr. Richardson,
Mr. Dignan,	Mr. Rolleston,
Sir R. Douglas,	Mr. Seaton,
Mr. Fisher,	Mr. Sharp,
Mr. Fitzroy,	Mr. Sheehan,
Mr. Harper,	Mr. Stevens,
Mr. Henry,	Mr. Tawiti,
Mr. Hialop,	Mr. Teechemaker,
Mr. Hodgkinson,	Mr. Tole,
Mr. Hunter,	Mr. Wason,
Mr. Johnston,	Mr. Whitaker,
Mr. Kelly,	Mr. W. Wood,
Captain Kenny,	Mr. Woolcock.
Mr. Manders,	<i>Tellers.</i>
Mr. G. McLean,	Mr. Montgomery,
Mr. Moorhouse,	Mr. Reynolds.

The amendment was consequently negatived.

Mr. SHEEHAN would ask the Commissioner of Customs to inform the Committee, in round numbers, of the amount of Customs revenue for the last quarter. He was aware that the time was very short since the quarter terminated; but still he thought the honorable gentleman might be able to give some approximate information which would be very useful, especially in passing those items which related to the Customs Department.

Mr. MANDERS also thought it very desirable that such information should be given; and, as there was a Secretary of Customs, there would no doubt be no difficulty in doing so. As there had been some discussion in respect to the strength of the Civil Service, and also in reference to the sums of money paid to the members of that service, he might say that he did not think the Committee should make any particular reductions.

If once a discussion arose as to whether this secretary or clerk, or other officer should have his salary reduced, a great deal of time would be wasted without any good result. Of course it would be quite correct to take that course; but it would be better to refer the estimates back to the Government, and tell them that there must be a reduction in the number of the Civil servants, and also in all salaries over £200 a year. He would like to see that course taken, especially after the Financial Statement which they had just heard. He was perfectly prepared to vote, and he thought a majority of the House would vote, that reductions should be made in the direction he indicated. He believed himself in having well-paid Civil servants, but he thought the Government were the proper people to deal with the matter. A resolution should be passed saying there must be a reduction, and then let the Government get the best servants they could select.

Mr. REES thought something should be done in the direction of reducing the whole of the estimates. He noticed by the Financial Statement that the whole of the Land Fund would be swallowed up, the whole of the Consolidated Revenue, and then the colony would be £60,000 to the bad at the end of the year. Some of the estimated receipts could never be realized. For instance, the honorable gentleman had put down £46,000 as "Incidental Receipts"—a sum which could never be realized. What the Government ought to consider, was whether they could not make some considerable reduction on the estimates generally; because he was convinced that even the £150,000 worth of Treasury bills would not be sufficient to make both ends meet. He would like to know when this Treasury-bills system was going to end. They would have to be paid for some time, and really, if the system were continued, the country would be in a perilous position in the course of a year or two. He would suggest that all salaries over £300 might be cut down, and a beginning made with Ministers themselves. The salaries of members of the Government should be reduced to what they were two or three years ago, and that principle should be applied to all the highly-paid officials rather than to the poorly-paid ones. He hoped the Government would report progress, and see whether they could not make some sweeping reductions in the manner suggested.

Major ATKINSON agreed that it was the duty of the Government to make the ordinary income cover the ordinary expenditure. He could not conceal that the present circumstances of the country were extraordinary; but they could not go suddenly from one extreme to the other without doing great injury to the public service and to a large number of honest men. He would be glad to do it, if it were possible without doing injustice to individuals. The Government were fully alive, as the honorable gentleman had pointed out, to the necessity of making both ends meet.

Mr. SWANSON was at a loss to understand what injury would be done by dispensing with the services of any officials who were not re-

quired. The fact of their being honest had nothing to do with that. As to making reductions, the Ministry could set a very good example by reducing their own salaries first. That was the course adopted by the Superintendent and Executive of Auckland when the necessity arose. Then there was another means of retrenchment. The Ministerial residences should be sold, and whatever was considered as sufficient for house rent, say £150 or £200, allowed to each Minister. If a Minister wanted to go in for "hospitality," a much perverted term, let him do it at his own expense. This would be a very good plan of assisting to make both ends meet.

Sir G. GREY said the Premier had just made the most extraordinary admission he had ever heard. He told the House that the estimates could be largely reduced, and that the only reason he did not do so was the possibility of doing injustice to honest men. The two things were absolutely incompatible. However, he should pass that by, and move that the Chairman report progress and ask leave to sit again, because it was very unusual to make a financial statement and press on the estimates on the same evening. There was no doubt in his mind that the estimates could be reduced by at least £100,000 instead of £34,000, as proposed by these new estimates. The principal executive officer of New Zealand should be reduced to the same sum as that paid to the second officer of the Government of the United States, namely, £3,000. The Premier should not receive more than £1,000 or £1,200, and the other Ministers would be well paid if they got £1,000. Men capable of filling the office could be got for £800 a year at the present moment; but they would be bound to make a sacrifice, which men who loved their country should make under the circumstances. It was only on the previous day that he had heard that the gardeners at the Ministerial residences were paid the same as those at the Governor's residence. Such a thing elsewhere was entirely unknown; and if these things were to be permitted, the expenses of the country might be enormously increased. He intended to bring in a Bill for the express purpose of altering the Bill which fixed the salaries of the Governor and the Ministers. He thought that the Government ought to agree to report progress, and allow honorable members an opportunity of considering the Financial Statement which had been made, and of discussing it on some future day, and deciding how the reductions were to be carried out. An appeal to do this had been made to the Government by the honorable member for Akaroa, but they had treated it with contempt. Honorable members had understood that the statement was to be made on Friday, and that they were to have an opportunity of considering it on Saturday and discussing it on Monday. By extraordinary adroitness they got out of making the statement on Friday, and by equal adroitness they got out of making it until the evening sitting that day, their object being to deprive honorable members of the opportunity of considering it during the adjournment. Yet they did all this in the most innocent manner. He felt that, in justice to

honorable members, they should have till next day to consider the Financial Statement. He would therefore move, That progress be reported, and leave asked to sit again.

Mr. REYNOLDS said he would have no objection to progress being reported after the item under consideration was passed.

Major ATKINSON hoped the Committee would pass this vote. If this were done, he would be willing to support the motion for reporting progress.

Mr. MONTGOMERY had no objection to the passing of this item; but he hoped nothing more would be proceeded with until honorable members had had an opportunity of examining the financial position of the country.

Motion for reporting progress negatived.

Item, £31,570 18s. 9d., agreed to.

Progress reported, and leave given to sit again.

FINANCIAL ARRANGEMENTS BILL.

Major ATKINSON, in moving the second reading of this Bill, said its object was to make financial arrangements to give effect to the Abolition of Provinces Act. There were several matters in it which would no doubt be keenly discussed; but as they had all been raised in the Financial Statement, and as they were really matters of finance, he thought he would be consulting the wishes of the House by not entering upon them on the present occasion. They were sufficiently explained in the Bill and in Ministerial statements. Therefore it seemed to him more convenient that they should take the whole debate on all these financial statements at one time; and he would move the second reading of the Bill.

Mr. MURRAY thought the whole finance of the country depended upon this Bill, and that the House should have received a fuller explanation than the Premier had given.

Mr. ANDREW agreed cordially with the Government that a Bill of this sort was necessary, but dissented from some of the clauses of the Bill.

Mr. SHEEHAN understood that the proposal of the Premier was to take the second reading of the Bill as a formal matter, and that honorable members would have an opportunity of debating it next day on the question for going into Committee of Supply, when the general financial discussion was to come on. He saw no objection to that course, and hoped the House would agree to it.

Bill read a second time.

NEW ZEALAND LOAN BILL.

Major ATKINSON said this was a Bill to give effect to a part of the Abolition policy; but in this case, also, he believed it to be the wish of the House that he should not go fully into the question. The Bill, as it stood, provided for the borrowing of two millions; but, as the House was aware, the Government proposed to reduce that amount to one million. This seemed to him to be a question that had better be discussed, with the other financial matters, on going into Committee of Supply. He moved the second reading of the Bill.

Mr. REID was sorry to hear the member say it was the intention of the Government to ask only for one million, as he thought it would be far better that they should take to raise two millions. The House knew; well that one million could not overtake the required to be completed, and the other which would be falling due. Even if it not be necessary to exercise the power to the two millions, it would be better that should be taken to raise them. It would affect the credit of the colony in the market, and the Government would be in position to raise two millions, all of which would be required. He hoped, when the Bill was in Committee, the Premier would see his way to exercise the power to two millions.

Mr. REYNOLDS quite agreed with the honorable member. He believed it was a mistake to limit the amount to be borrowed to one million. It would have been far better to have raised two millions, and then, if the Government did require the money, they need not raise it. It must be apparent, however, that a large sum could be raised on more favourable terms than small ones.

Mr. ROLLESTON hoped the days of general borrowing were going by, and that when the Government came down with borrowing proposals they would, as had been indicated by the Premier that night, specify the objects to which the money was to be applied, and in this manner give the lender an assurance that its expenditure would be reproductive. He thought they had had quite enough of this system of general borrowing, and stating afterwards that it was to be expended upon objects which had not been predetermined, and the prudence of which had not been previously discussed by the House. He hoped the Government would adhere to their proposal of reducing the borrowing power at any rate on the present occasion. He thought there was a good deal to be said in favour of putting the larger sum in the market, if it were necessary, at one time, and not to be going with dribbles into the market. But he believed the lender at Home would accept the present proceeding as an instalment of a more prudent state of finance than had yet obtained in the colony.

Mr. STEVENS thought the Government were acting very wisely in confining the authority they proposed to take from the House to one million, instead of placing it at two millions. He thought so, because he was aware that the state of the colony's indebtedness, whether it exercised the larger or smaller power of borrowing, would be known in London as well as it was here. Under those circumstances, it appeared to him much better to limit the borrowing to one million. He thought it must be obvious that no such opportunity as that referred to by the honorable member for Taieri, of raising money on such exceedingly favourable terms as would justify the borrowing of the larger sum, was likely to occur. The rate of money in London for some time past had been exceptionally low, but the borrowing operations of the colony had not been correspondingly favourable; and it must be admitted on all

hands that the floating of the last loan was such as they had no right to expect again, if they were to go suddenly into the market with any larger sum. For his part, he hailed with very great satisfaction the change of plan on the part of the Government, and he hoped it would receive the support of the House.

Mr. MONTGOMERY thought the change from the original intention with regard to this loan was a very prudent and proper one. He had listened to what the honorable member for Avon said about the specific objects for which the loan was to be appropriated being stated. That, no doubt, could be brought down at a future time. He wished to throw out a suggestion, and if it were not adopted by the Government he would move a resolution to the effect, that a portion of this money should be used for the erection of school buildings in certain portions of the colony where they were required. He believed that school buildings were very much wanted in the Province of Auckland; and he thought there was no better way in which public money could be expended than in providing the necessary buildings in which to give education to the rising generation, and he hoped that would be one of the objects to which this loan would be devoted. From what he could gather from honorable members from Auckland, and also from Westland, he did not think that £50,000 would be too much to spend on the erection of school buildings in those places. That was altogether apart from the maintenance of schools. He understood that in some of the school-houses in Auckland the children were penned up more like sheep in a fold than the pupils of an educational establishment. If the finances of the country could be shown to be in a sound condition, the people in London would be ready to advance any reasonable amount that might be required; but at present he ventured to say that two millions would be difficult to raise; and if they went into the market with such a loan, it would materially affect the credit of the colony. He had no objection to the second reading of the Bill, and would support it; but he wished to see the various objects and the exact amounts brought down by the Government before it was passed through.

Bill read a second time.

The House adjourned at a quarter to two o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 10th October, 1876.

First Readings—Third Reading—Waimea Water-race—*"Mataau"*—Government Representatives in the Council—Piako Swamp—State Forests Bill—Ohinemuri Agricultural Leases Bill—Oamaru Tramways Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Wellington Debts Bill, the Attorney-General's Bill.

THIRD READING.

The Napier Athenaeum Bill.

WAIMEA WATER-RACE.

* The Hon. Mr. BONAR asked the Hon. the Colonial Secretary, Whether, in view of the rapidly-increasing population at Kumara, the fact that the supply of water for that gold field is very limited in extent, and that the principal source of supply has been reserved by the Government for the Waimea Water-race, the Government will take immediate steps for the completion of the head works of such race, so as to admit of the full quantity of water the race has been constructed for, and is capable of carrying, being brought in for the above purposes? He desired merely to say that, by the last official returns he had received from that district, he found there was a population of something like 4,000 miners now upon this new gold field. One of the great requirements of this gold field was a proper supply of water, and the sources of supply were very limited indeed. One of the principal sources of supply was that which was supposed to fill the Waimea Water-race, upon which a large sum had been expended, but the head works of which had not been completed. So long as the Government reserved the water from this source, so long would any private person be prevented from making use of it. It seemed to him to be a very undesirable thing that, after spending £90,000 on the water-race, the proper use of it should be prevented from the want of head works, more especially as this large supply of water was now required for the new gold field. At the present moment, the quantity of water coming down the Waimea Water-race was fifteen or twenty heads, whereas its full capacity was forty to sixty heads. He therefore desired to ask the Government whether they would be prepared to carry out this scheme to completion, without which the race would be useless to the extent of two-thirds. It was proposed that these works should be handed over to the county, but he would point out that to hand over to the county the completion of such an important work, which formed part of the colonial system of public works, would have the effect of absorbing the whole revenue of the county. He therefore trusted the Government would be able to give an assurance that they would not leave an important work like this in an incomplete state when it was so much required on the gold fields.

* The Hon. Dr. POLLEN said that, since this matter had been brought under the notice of the Government by his honorable friend, careful consideration had been given to the subject; and it had been determined, in view of the new circumstances which had arisen in the neighbourhood of this water-race, and of the importance of providing water for the new gold field, to ask for authority to complete the head works. That would be done with the understanding that if a large expenditure—as was certain—would be involved in the completion of those works, the water-race itself should be retained in the hands of the General Government; and that it should not, for the pre-

sent at least, be handed over to the county, as other works of the same kind were proposed to be handed over.

"MATAU."

The Hon. Captain FRASER asked the Government, Whether there is any truth in the report, as stated in the *New Zealand Times* of the 9th instant, that great blame is attached to the Wellington Customs authorities for permitting the s.s. "Matau" to leave port with too many passengers, and lumbered with deck cargo?

* The Hon. Dr. POLLEN said he had not been able to refer to the particular article in the *Times* to which this question referred, in order to ascertain by whom this great blame was attached to the authorities of the Wellington Customs. His honorable friend had not said by whom the blame had been cast on the authorities. He held in his hands a memorandum by the Secretary of Customs, which he would read to the Council. It was as follows:—

"The agents of the 'Matau,' desirous of meeting the demand for passages to the new rush at the Kumara, on the West Coast, cleared out the fore-hold of that vessel, and covered the hatch-way with a booby hatch with flaps such as are used on board of immigrant ships; the steerage accommodation having been thus extended, the 'Matau' was allowed to carry thirty passengers in addition to the number on her certificate, but not more than would be allowed under the Proclamation of the 16th May, 1862, regulating the carriage of passengers between New Zealand and Australia. Her deck cargo consisted of twenty cases of kerosene and three iron tanks, one of which was filled with water for the use of the extra passengers."

That was all the deck cargo, and it was not a very formidable one under the circumstances.

GOVERNMENT REPRESENTATIVES IN THE COUNCIL.

* The Hon. Colonel WHITMORE, in moving the motion standing in his name, said that, in view of the discussions they had had on the subject, it was hardly necessary to say much more upon the obvious necessity for having a better representation of the Government in that Council. But he might observe that, with seven Ministers in this country—which was an unreasonable number as compared with the mother country—the smallest consideration to that Council would be that the Government should be represented, not by one, but by at least three. In England there were six members of the Cabinet in the House of Lords and six in the House of Commons. It was true that in the House of Commons there were Under Secretaries; but the Government was represented by 2 per cent. of the House of Commons, while here it was represented by 7½ per cent., and in that Council they had but one member of the Cabinet. He desired, at the same time to say that no one member could have better discharged the duties of two or three than the honorable gentleman who had so long led the debates in that Chamber. But as they appeared to be indorsing the system of such large

Cabinets, he thought it was very unduly should separate without placing on belief that they should have a large of Cabinet Ministers in the Upper that they should not throw on one man a burden as he had had to support for sessions past. He would not be content that on record, but hoped the Government give a distinct assurance that in another they would find a second member of the Council. It was to be regretted some years it had been the practice to have a new member to the Council as a when a new Government came into office. That could have but one effect, and that was to discourage honorable gentlemen in the Council from preparing themselves for taking part in the government of the country, and then to take little or no part in the general parties of the country. But that was a wide question, and it had nothing particular to do with his object in moving the motion in his name. The greatest reason, he thought, was that the work was too much for any one to do. A second reason was that it was unfair that they should have so large a Cabinet out greater representation being secured to that branch of the Legislature. He hoped the honorable gentleman representing the Government would inform them that it was the intention of the Government to appoint another member of the Government in the Council, or appoint another member to the Council, who would be in the Cabinet, to represent them in future sessions. He did not wish it to be understood that he expected immediate action to follow his motion.

Motion made, and question proposed, "That it is desirable that the Government of the colony should be represented in this Council by at least two responsible Ministers."—(*Hon. Colonel Whitmore.*)

The Hon. Captain FRASER intended to support the motion for two reasons—firstly, for a political reason, and, secondly, for a humane reason. He supported it for a political reason, because it would give greater scope to the power of debate in the Council; and he supported it for a humane reason, because there was great talking power in the Council, and it was not proper to subject one man to that power. There should be two honorable gentlemen on the Government benches—one to be on duty while the other slept.

* The Hon. Dr. POLLEN said there was no one who could be more painfully conscious than he was himself of the necessity which existed for additional Ministerial assistance in the Council. He need hardly remind honorable gentlemen that it was not very long since the disposition of the Government to afford this additional assistance was evinced. Honorable gentleman would understand that, for the remainder of this session, it would be impossible to make arrangements for having another Minister in the Council; but he ventured to express a hope that, before another session commenced, or when it did commence, the Government would be represented in the Council by two members. He would not discuss the question with the honorable gentleman

whether or not there was an unreasonable number of Ministers at present. All he would say was, that from his personal knowledge Ministers were not idle, and that in future there was a prospect of so large an addition of official work being imposed on the several departments that the probability was there would rather be a necessity for an increase than a reduction in the number of Ministers.

* The Hon. Colonel WHITMORE, in reply wished to allude to the remark of the Colonial Secretary that not long ago there was a disposition shown to fall in with the views of the Council. The only disposition of that kind which had been shown was when nine Ministers were appointed, and it was arranged that the Council might have two. He thought that was far from showing a disposition to pay a compliment to the Council. It was a very small bait to induce them not to complain of the very great liberty which was taken with the Constitution. He could see no disposition to show the least courtesy to the Council in the action taken on that occasion. There was some such disposition shown when the Hon. Mr. Hall was asked, at a very great sacrifice to himself, to act for the Government. He placed himself in a very anomalous and disagreeable position for the Government, and in doing so he had placed the Council under some obligation. But that was a personal obligation which members owed to him, and not to the Government. With reference to the honorable gentleman's statement that Ministers were not idle, he granted that the honorable gentleman was not idle; but he would ask, how many Ministers remained in Wellington when they were not obliged to be present to attend to their duties in Parliament? He thought that if the work could go on in the absence of Ministers, it was evident that there were too many of them. He thought Ministers ought to be employed in supervising business in both Chambers of the Legislature. If in England it was necessary to have half the Cabinet in the House of Lords, he did not see why there should not be more Ministers in the Council.

Motion agreed to.

PIAKO SWAMP.

The adjourned debate was resumed on the question, That the Hon. Mr. Chamberlin have leave to lay upon the table of the Council a plan showing the extent, figure, and position of the Waikato-Piako Swamp grant of 87,000 acres.

* The Hon. Mr. HALL was sorry the Hon. Mr. Chamberlin was not in his place, as he (Mr. Hall) was ready to give the Council the information for which the debate was adjourned. In compliance with the suggestion which was made when this subject was last under discussion, the map had been referred to the Survey Office, for the purpose of its being identified, and to ascertain its correctness or otherwise. He held in his hand a memorandum from the draftsman in the Survey Office on the subject, which, with the permission of the Council, he would read, and then he would make no objection to the map being laid on the table. The map was stated to

be a plan showing the extent, figure, and position of the Waikato-Piako Swamp grant of 87,000 acres. The memorandum was as follows:—

"The attached map is a portion of sheet No. 8 of the lithograph of Mr. Heale's map, showing the triangulation conducted by him in the Provinces of Auckland and Hawke's Bay.

"The coloured matter on this map does not show the figure or extent of the Waikato-Piako Swamp grant; nor are the correct boundaries of the 86,502 acres granted to the New Zealand Loan and Mercantile Agency Company shown in any manner upon it.

"GEO. FANNIN,

"Draftsman, Crown Lands Office."

Perhaps the most convenient course would be for him to lay the memorandum on the table, that it might be seen with the map itself, so as to prevent any misunderstanding.

* The Hon. Mr. STOKES, after the explanation that had been offered by the Hon. Mr. Hall, ventured to think it would not be of the slightest use to lay the map on the table, inasmuch as it contained no information whatever in reference to the subject in question—the Piako Swamp. It appeared to be an anonymous and incorrect map, and would only encumber the table if it was laid upon it, without giving any information.

The Hon. Mr. WATERHOUSE thought that when they consented to documents being laid on the table of the Council there ought to be some distinct reason for the action they adopted—some distinct benefit to be derived from adopting such a course of procedure. He did not see that any benefit whatever would arise in this case. On the contrary, their records would be unduly lumbered; and unless they got some further information from the Hon. Mr. Chamberlin, he would be inclined to vote against the motion. He might likewise be allowed to say they should be extremely careful how they extended this practice, into which they were gradually drifting, of permitting honorable members to lay upon the table of the Council documents of various characters. It was well known that no evil could arise in this case, although no good could result; but he could well understand that cases might arise in which much evil might result from the adoption of this course, and he thought it would be well for them, in future, carefully to guard this privilege, and not throw it indiscriminately open, unless there were good reasons to lead them to believe it was desirable that documents should be laid on the table of the Council by private members.

Motion negatived.

STATE FORESTS BILL.

* The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said he had been asked by the honorable gentleman who introduced it in another place to take charge of it in the Council. He thought, however, there was very little to be said on this subject. The Forests Act, he believed, was a little in advance of the age, and was one of those useful measures which should demand their attention when the country was fully settled, and when a very great

necessity arose to turn every possible item to account. It could not be said at the present moment that that time had arrived; and, on the other hand, what had arrived was a great difficulty to make both ends meet in this country. It was admitted by the Government that there would be a certain amount of deficit this year, which must be covered by Treasury bills. Let them hope it would be very small. He felt confident every effort would be made to keep down expenditure as much as possible. But, at all events, at a time when they were avowedly not at all in a position to launch out into improvements which might or might not be hereafter productive, they should reduce expenditure on tentative undertakings as much as possible. For that reason he hoped the Council would agree to read this Bill a second time, and practically to defer until a future time, when the colony would be in a better position to undertake it, a scheme which was ingenious, and possibly promising, but which they were not in a position to take in hand. There were some clauses in the Act which it might be desirable to enact in some other Bills, and containing provisions which he would be sorry to see entirely wiped out. But that was a matter which devolved upon the Government, and which it was advisable should rest with them. In the meantime, the Council would be doing good by wiping this Act off the Statutes. He moved the second reading of the Bill.

* The Hon. Colonel BRETT would oppose the Bill, as he considered it would be placing the Government in a very false and unenviable position. It was well known that the Forests Act was introduced two years ago, and met with the approval of both Houses of Parliament. The Government then took action in the matter, and communicated with the Government in India, and obtained its sanction to an engagement with one of its most intelligent and able men in the particular department of State forests. This gentleman—Captain Campbell Walker—came to New Zealand on the understanding that he was to remain here at least one year, at a salary of £800, and that at the expiration of that time any further engagement was to be optional with both parties. He believed that was the agreement made. There had been a long correspondence on the subject between the late Premier and the Indian Government, and he thought it would be an act of the greatest discourtesy, and also a breach of faith, to break the contract which had been entered into. What would the Indian Government or any other Government say to be treated in that way? Captain Walker had studied this particular subject of forest-planting and conservation for many years. He had had a great deal of experience in France and Germany, and had been all through the forests of India, which extended all along the west coast, and in Burmah; and his experience had been so great that the colony would derive the greatest advantage from it. But, just as Captain Walker was about to make his report, there was this proposal to summarily dispense with his services. If this officer were discharged before he furnished

his report, the £800 would simply go away, and the colony would derive from it whatever. On the other services of Captain Walker were another year, they would have a value which would be worthy their consideration. No doubt he was of the greatest advantage to the colony. They were all aware that the New Zealand forests were being cut down in a most lavish and wilful manner, and this was permitted to continue, in the time there would be no forests at all. In knowledge, this gentleman had almost valuable information to the Government. He had taken the greatest pains to draw out regulations for the establishment of State forests. He was now travelling in the North collecting information, and in a short time would visit the South, and he (Colonel Brett) hoped that during Captain Walker's visit the colony he would be able to give them all the large towns, and afford a great valuable information which would be of great advantage hereafter. He spoke of personal acquaintance with this gentleman, who was an officer in his own regiment, in which he was regarded with great respect and esteem, and looked upon as a very smart and intelligent man. There had been an attempt in this town to stir up a feeling against Captain Walker on the part of a most scurrilous paper, which pretended to be an organ of the voice of the inhabitants of Wellington. He looked down with disdain upon penny-a-liners of the newspapers of Wellington. They were a disgrace to the whole colony. No man should be allowed to give vent to their unmanly and cowardly feelings towards a gentleman who was respected and esteemed by all who had the pleasure of his acquaintance. The large body of the members of the Parliament who he was sorry to say, caused this Bill to be passed in another place; and he said that when the members got a gentleman to serve them, they ought to treat him as a gentleman. He moved that the Bill be read a second time that afternoon, three months.

The Hon. the SPEAKER suggested that it was not desirable to connect the conduct of members of the House of Representatives in a courteous manner with anything which might come before the Council in debate.

* The Hon. Captain FRASER hoped he would not be offending in that way if he said he believed this matter was brought forward in consequence of Captain Campbell Walker having twisted his moustaches a particular way. There was no more valid reason for this Bill than that certain people did not like the manner in which the Conservator of Forests twisted his moustaches. If he had twisted them any other way, probably the Council would never have heard anything about this measure. He had seen a great deal of Captain Walker during the short time he was in Otago—much more than he had seen of him since, because his (Captain Walker's) time had been so much occupied since he had been in Wellington. He was sure they could not have got a better Curator of Forests than Captain

Walker if they had searched throughout the whole world. He was a man very well known indeed, and had published a great number of works. He (Captain Fraser) took him to the Botanical Gardens in Dunedin, and told him he would be very much shocked at what he saw there. He knew that for several years the Curator of the Gardens had been kept there at great expense, and had made a complete mess of it. Captain Walker seemed very much shocked at what he saw there, and particularly with the *Coniferae*, which had cost a great deal of money. The plants, which had for a long time past been distributed, had been refused by the people in the country. Unlike other colonies, they did not keep their plants for special purposes, such as for domains and for police stations, but offered them to farmers and any one who liked to take them. In consequence, however, of the manner in which the plants had been treated in infancy, the people rejected them because they would not grow. Before taking Captain Walker to the Gardens, he had, a few days previously, told the Curator of his intention; and consequently he transplanted, for the first time in his life, some of the *Coniferae*. They found the plants with the roots, about two feet long, curled up in the shape of the letter S. That was the manner in which the planting had been conducted at the Dunedin Botanical Gardens. As to this Bill, he thought there was a great deal in the original Act which should be retained. He had seen in his part of the country splendid forests purposely destroyed to make way for sheep. For no better reason than to make a path for sheep, he had seen magnificent forests destroyed—utterly destroying at the same time the beauty of the country. He had seen that upon the Hawea. As soon as the people who had a saw-mill there found they could make better wages elsewhere, and as soon as they left, the whole forest by accident—he would not say what was the cause—caught fire, and property to the value of thousands of pounds was destroyed. He asked the Superintendent to appoint his (Captain Fraser's) son as ranger or curator, or whatever he might please to call it, so as to protect the forest; but that was not done. In the same way the forests had been destroyed all over Otago. He thought they would be doing a very unwise act if they passed this Bill, which had been brought in for no better reason than that Captain Walker twisted his moustaches in a certain way.

* The Hon. Dr. POLLEN said that one of the attributes of the Council, and amongst its very highest, in his opinion, was its power of checking hasty legislation; and no more striking instance of hasty and unconsidered legislation could be presented to the Council than the Bill which had now been proposed by his honorable and gallant friend for its second reading. It was two years only since, after long consideration in both Houses of the Assembly, the Forests Act was passed. It was not possible for the Government to take any action under that Act sooner than the beginning of the present year, when it succeeded in obtaining for a year the services of

a gentleman admitted on all hands, he believed, to be the most capable of giving information and instruction on the subject of forestry whose services it was possible to obtain. It was only within a very few months that he had been able to apply himself to the duties which he undertook, and at least it might be urged that, before proceeding to declare that the New Zealand Forests Act should be repealed, it would be proper to wait the result of the inquiries which Captain Walker was now engaged in making. It would be better to have his report upon the forests of New Zealand before the Assembly, and his suggestions for the management of the forests, before reversing the legislation of the last two years upon grounds such as were stated by the honorable and gallant gentleman who moved the second reading of the Bill. No expenditure other than that which attended the mission of Captain Walker had been incurred by the Government on account of the forests. There was nothing in the relations between Captain Walker and the Government which would at all bind the colony for a longer time than the year for which he had obtained leave, and before the close of which he proposed to make his report. It was competent for Captain Walker on the one hand, at the close of his year's engagement, to say he declined any longer to remain in the service of the Government, and it was on the other hand competent for the Government at that time to terminate their engagement with Captain Walker. It was mutually open on both sides. So that there was no obligation upon the colony, after the preliminary inquiry had been made, to continue further expenditure on account of these forests if the report showed that such an expenditure was no longer a desirable one to make. In a statement which was made by the Colonial Treasurer in another place, it was proposed, as honorable members are aware, to withdraw the £10,000 that was appropriated under the Act of last year for the purposes of the Forests Act, and to take it again into the Consolidated Revenue, so that really there was no expenditure, except what was known, going on on this subject; and until the Assembly had had an opportunity in another year of making themselves acquainted with and studying the result of Captain Walker's investigations, no further expenditure or liabilities would be incurred. There had been no change in the circumstances which induced the Council to pass the Forests Act; there was no change in the view of the evils which the destruction of forests entailed upon the country; there was no change in the view of the advantage which might be obtained by the proper utilization and management of the forests of the country; and there were, from intelligence which he was sorry to say he had not, owing to his illness, been able to study with sufficient attention in order to place it before the Council, evidences of the success of the operations carried on in a very modest and quiet way in South Australia, which were quite sufficient to show that it was worth while for any colony to take some trouble to conserve and increase its forests. He did not desire at all to bind the colony to this Forests Act. What

he asked was that the Council would not now declare that all that had been done in the past was a mistake, but that it would allow the Act to remain in operation at least for another year by negating the second reading of this Bill; and let them, with the light Captain Walker would be able to throw upon the whole question, then calmly and dispassionately consider whether or not it would be for the benefit and the interest of the colony that the course that gentleman recommended them to pursue should or not be adopted. He hoped the amendment of his honorable friend Colonel Brett would be carried, and the Bill ordered to be read a second time that day three months.

*The Hon. Mr. WATERHOUSE said, whether this Bill was read a second time or not, the fact would remain that the coming into that branch of the Legislature of this Bill, carried as it had been through the House of Representatives, was an evidence that one of their political bubbles had burst—that the New Zealand Forests scheme was no more. He did not regret the collapse of this measure. It was satisfactory to know that its collapse did not entail upon the colony any large pecuniary loss. He wished that he could flatter himself that other bubbles that had yet to burst would be attended with as little injury. This Act was introduced to the notice of the Legislature with a great flourish of trumpets. It was instructive now to turn back and see what was said upon the occasion of the introduction of the measure to the notice of Parliament. Parliament was seriously told that this scheme was one to enable the colony, without any other outlay than that provided in the Bill, to provide means for paying off its national debt. That looked very absurd of course, but nevertheless it was the fact. The Hon. the Premier, Sir Julius Vogel, introduced the Bill into the other branch of the Legislature in a speech which occupied fifteen pages of *Hansard*, and he entered into some calculations to show how, through a system of forest-planting, the colony might pay off its national debt in thirty-five years; and he wound up his observations with some few remarks, which at this time it might be well that the Council should not altogether overlook. Sir Julius Vogel said,—

"I am sure that it would be a pleasing thing for us to be able to say to those who come after us, 'We have borrowed money by which to cover the country with railways; we have taken care not to injure its climate; and we now hand to you, in these forests, a magnificent property which will more than pay the liabilities we have devolved upon you.'"

And again he said, "As far as can be done by the Bill, we put upon State forests the charge of repaying the public debt of the colony incurred for the construction of railways." And yet again he said,—

"I confess, too, I should feel pride if this Parliament, which has done so much to develop the policy of constructing public works, be not allowed to pass away without being able to point to the fact that it had not only made provision for public works, but had also provided means of paying for them—that it was handing down to

the future not alone the debt represented by public works, but a magnificent property of more value than the railways themselves."

After those magnificent expectations set forth, a Bill repealing that measure had been introduced, and, in spite of the opposition of the Government, who were naturally opposed to the repeal of an Act to which they had been introduced, it passed through the House of Representatives. Honorable members might well ask how that his scheme had broken down so signally was in consequence of their legislating for effect to schemes, instead of legislating for effect to well-matured measures. The honorable gentleman who introduced the New Zealand Forests scheme had no practical knowledge of the subject he took up. He simply took it up as he took up any other subject; and time he managed to impress the Legislature with the public with the idea that the scheme he was introducing was to be the salvation of the colony. Had that legislation been the result of mature deliberation, the House would not now be considering the advisability of passing a repealing Act. He (Mr. Waterhouse) voted against the Forests Bill when it was brought down, and would vote for the repealing Bill now; but, at the same time, he agreed with the Hon. Colonial Secretary that it might be desirable to postpone the formal repeal of this measure for twelve months, because, if they kept the measure on the Statute Book, the subject would come before them again, and, when it did so, it might be in connection with some good scheme for the conservation of forests. At present there was no intention on the part of the Government of an intention to bring forward such a measure as he had referred to. It was quite clear that there should be some legislation on the subject, and it should be of the same character as that which existed in Europe with reference to the *felling* of timber. It should be provided that timber should only be cut down in certain seasons, and that it should not be sold to the public until a sufficient length of time had elapsed for properly seasoning it. By legislating in that way, they would be taking a great step towards the preservation of our forests. Everybody knew that seasoned timber would last two or three times as long as unseasoned timber, and in this city he could point out pretentious and substantial-looking erections which were fast going to ruin because they were painted while the timber was still green, thereby interfering with the regular process of seasoning. If the timber were cut down only at certain seasons of the year, and if people were forbidden to sell timber until it had been cut down for a certain time, a very great deal of good would be done. The example set by the Colony of South Australia might be followed. His honorable friend the Colonial Secretary appeared to be under some misapprehension with regard to what had been done in that colony. Nothing had been done but to set aside certain blocks of land as forest reserves, and to plough 1,000 acres of land with the view of planting timber this year. He believed that about 140,000 acres of land, in blocks of 20,000

acres each, had been set aside as forest reserves. The lease of one of those blocks, situated about 140 or 150 miles north of Adelaide, was recently submitted to auction, and brought something like 3s. per acre, the lessee being bound at the same time to fence in the whole of the land. Steps had been taken for planting that block in the coming season; and, as funds accrued from the rental of those reserves, still more extensive steps would be taken in the same direction. He thought the Parliament of New Zealand might legislate in the same direction with advantage. There were treeless plains, especially in the Southern Island, which, in the interests of the colony, should be planted out as far as possible. He thought it desirable that in their land laws they should provide that a certain percentage of the land revenues should be devoted to planting out tracts of land in such localities. He repeated that it might not be desirable at the present time to take the Forests Bill off the Statute Book.

* The Hon. Mr. HALL would not have spoken had not the Hon. Mr. Waterhouse referred to the scheme embodied in the New Zealand Forests Act as a political bubble. He would admit that the great expectations shadowed forth in the extracts from the late Premier's speech, which had been read by the honorable gentleman, were visionary. He did not think that the financial results there predicted were likely to be realized, but still he contended that the idea which was embodied in the New Zealand Forests Act did not deserve to be called a "bubble." He thought the idea was a good one, and well worthy the attention of the Legislature. Sir Julius Vogel had devoted a great deal of time to the subject, and had collected a large amount of valuable information with regard to it; and though, as he had already said, he did not believe that gentleman's expectations would be realized, yet he felt that the colony was under a great obligation to him for the trouble he had taken. He would not trouble the Council with any lengthened remarks now, because they were practically not going to deal with the question. This was not the first time the subject had come before the Legislature, and he hoped it would yet occupy a good deal of attention. He had, while travelling lately, been struck by the remarkable difference between those countries in which forestry had engaged the attention of the Government, and those in which nothing had been done in the direction of conserving the forests. Travelling in Europe, one could tell, as he passed from State to State, whether the several Governments took care of their forests or not. In the State where no steps were taken to preserve the forests, the country was arid, there was an absence of timber on the hills, the streams were scanty, and the mountains presented a bare and miserable appearance; but in the State where attention was paid to the forests, there was abundance of timber, the land was well watered, and, altogether, the country presented a more fruitful and fertile appearance. He thought that they were seriously neglecting their duty in that respect in New Zealand; and, to his own knowledge, there were parts of the colony which had greatly de-

teriorated in value, simply because attention had not been given to the conservation of the forests. They should do so, even if they made a financial sacrifice: if they did not do so, those who came after them would have very good cause for complaint. Therefore, if it were only in the light of a protest against putting this subject on one side, he would vote with his honorable and gallant friend Colonel Brett. He would be glad to see the Council raise its voice against the abandonment of such an important subject; and would have great pleasure in supporting the amendment of the honorable gentleman, that the Bill be read a second time that day three months.

The Hon. Mr. MANTELL said he had voted against the New Zealand Forests Bill when it was first introduced, because he looked upon it as a sham. He quite agreed that they should have accurate information as to the state of the forests in the country, and that they should take steps to secure the preservation of their forests; but he did not consider it necessary to create a new and very expensive department for that purpose. As far as a report on the forests of the colony was concerned, he thought it would have been far better to have obtained one from some person who had an acquaintance with the colony and the different kinds of timber, &c., than to import a gentleman from another country at a very large expense. He knew of one gentleman in this town who, he undertook to say, would before this have produced a more valuable report than Captain Campbell Walker could. He had not the pleasure of Captain Walker's acquaintance, but he had no doubt he was a competent and efficient officer; but still he had had no experience of New Zealand or its forests. If somebody who understood the country had been sent with that gentleman, the cost of the report would doubtless have been money well spent. The fact was that Captain Walker had been placed in a false position. He had been brought away from his own country in order to make certain investigations, and he actually required an interpreter in order that he might do his work. He thought it would be much better not always to fly to the expedient of creating a new department, but to utilize the talent already at hand. He agreed with the Hon. Mr. Waterhouse that this Forests Bill could do no particular harm in remaining on the Statute Book for another year, but at the same time he considered that it was not the duty of the Government to keep a moribund Act on the Statute Book—especially an Act which must come to grief in another year, as he was sure would be the case with this; nor did he think they were paying a very high compliment to the Government, if they assumed that the maintenance of this Bill on the Statute Book was necessary in order to make sure that they would give attention to the matter during the recess, and bring in a practical measure next session. He thought it would be better to bury the Bill and the expectations of Sir Julius Vogel, as read by the Hon. Mr. Waterhouse, together. They should not believe in the dream that the State Forests Act of 1874 would extricate posterity from the national debt of the colony.

The Hon. Captain FRASER said that if the State Forests Act were repealed, he was afraid that Captain Campbell Walker would have an action against the Government. The Hon. the Colonial Secretary was slightly mistaken in his views on this matter. The engagement was certainly only for one year; but there was this understanding—a written understanding—that if the Government chose they could keep him on for three years; and if this measure were repealed, Parliament would take that power away from the Government, and Captain Campbell Walker would have fair grounds for action against the Government. He was told, upon the very best authority, that this was the case—that Captain Walker would have a good claim for compensation if the Bill were carried. Therefore he hoped that the Bill would be thrown out, if it was merely for the purpose of preventing him from having any claim for compensation in the future.

* The Hon. Mr. ACLAND would vote against this Bill; but he hoped that the Government would consider whether it would not be well to bring down a Bill next session that would have the effect of conserving the forests that already existed in the colony. The Act which this Bill proposed to repeal applied mainly to the forests which had been proposed to be made, and not to those which were already in existence.

* The Hon. Colonel WHITMORE had hoped the Council would have been able to discuss this Bill without introducing the name of the gentleman who had come out from India to start the planting of forests in this colony. There could be no doubt that anything that could be said in his favour was well deserved. He did not think that any more competent gentleman could have been found for the position. In England, Captain Walker's opinion was considered of some importance, and in Vienna he was considered to be so competent to give an opinion on certain subjects that he was chosen one of the judges at the Exhibition. He (Colonel Whitmore) was not prejudiced against Captain Campbell Walker, but he certainly was prejudiced against the Bill. He thought it was the Hon. Mr. Mantell who said that some person who understood forestry in New Zealand should have been sent elsewhere to learn something, and then be brought back to make a report on the forests of New Zealand instead of Captain Walker.

The Hon. Mr. MANTELL rose to explain that what he said was that they could have found a person capable of producing a better report.

* The Hon. Colonel WHITMORE had understood the honorable gentleman to say that it would have been better to send a gentleman who understood New Zealand to study elsewhere, and then come back to New Zealand and report on the forests of the colony. What he wanted to point out was, that this was precisely what the Government of India did in the case of Captain Campbell Walker. There were a great many persons in New Zealand who had devoted a considerable amount of time to the subject, and who would have been willing to give their services in the same way as Captain Walker. With reference to the creation of a department to

plant new forests in New Zealand, was that they were not yet in a position to undertake such a thing. The which existed already were sufficient the attention of the Government; and of launching into such a scheme as the Premier had appointed some person to p existing forests, it would have been mu. He thought that, if they passed some which would protect the existing fore being wasted, they would be doing as mu circumstances of the colony would allow do at present. The Hon. the Colonial S had said that the usefulness of this br the Legislature was to prevent hasty legi Now, the original Bill, when introduced hurriedly, had been passed in another pl almost two to one. It was necessary the C should give the repeal Bill very careful co tion. It seemed to be the universal wis this costly department should not be creat that a Bill should be passed which would ha effect of wiping it off the Statute Book. H lieved that to be the view of the greater p the people of this country, and he was eq sure they could not carry out the provisio this Act with the means at their disposal. the Financial Statement made by the Colo Treasurer the previous evening, he noticed that £10,000 voted for the Forests Department l already, before this Bill was passed, been tal away. Such were the necessities of the coun that everything not urgently required they m do without. It was their duty to set their fac against such a proposal as that contained in tl original Act, which no one pretended they cou carry out at the present time, and which migh authorize a great deal of useless expenditure For these reasons he asked the Council to sup port the Bill. He had been asked to take charge of it a day or two ago, without having had an opportunity of studying the subject very deeply; but on financial grounds alone, he felt bound not to refuse to undertake the duty. He had nothing to do with the Bill further than undertaking to introduce it into the Council, but he was just as much in favour of it as if it was his own Bill. He thought it was their duty to support this, and every other measure that had the character of diminishing expenditure, unless it was clearly shown that it would imperil the efficiency of the public service. They were bound to take an economical view of all questions, and to pass all legislation which would curtail expenditure.

Question put, "That the word 'now,' proposed to be omitted, do stand part of the question;" on which a division was called for, with the following result:—

Ayes	...	...	...	...	...	9
Noes	...	...	...	...	...	22

Majority against	...	...	...	...	...	13
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AYES.

Mr. Chamberlin,	Mr. Scotland,
Mr. Mantell,	Mr. Stokes,
Mr. Pharasyn,	Mr. Waterhouse,
Mr. Robinson,	Colonel Whitmore.
Mr. Russell,	

NOMS.

Mr. Acland,
Captain Baillie,
Mr. Bonar,
Colonel Brett,
Mr. Campbell,
Mr. Edwards,
Captain Fraser,
Dr. Grace,
Mr. Gray,
Mr. Hall,
Mr. Hart,

Mr. Holmes,
Mr. G. R. Johnson,
Mr. J. Johnston,
Lieut.-Colonel Kenny,
Mr. Lahmann,
Mr. Menzies,
Mr. Nurse,
Mr. Paterson,
Dr. Pollen,
Mr. Rhodes,
Major Richmond, O.B.

The amendment was consequently agreed to, and the Bill ordered to be read a second time that day six months.

OHINEMURI AGRICULTURAL LEASES BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it had passed the House of Representatives, where it was introduced by his Honor the Superintendent of Auckland. Its object was to validate certain agricultural leases which were issued by his Honor the Superintendent as the delegate of His Excellency the Governor. Honorable gentlemen would no doubt have noted the very portentous preamble, in which it appeared to him a great many words have been wasted. The facts might be put into a nutshell. He had taken charge of the Bill, because it was a matter of considerable importance indeed to the public, and also of considerable importance to about 135 persons who had obtained leases or promises of leases for land in the district. Honorable gentlemen no doubt had all heard of Ohinemuri, and of the great expectations that were hoped to be realized from the opening of the gold field—expectations which had been greatly exalted and exaggerated owing to the difficulties and delays which obstructed the desire of the miners to be put in possession of the country. In February, 1875, after many negotiations and the expenditure of a great deal of money, the Natives of Ohinemuri were induced to cede a block of land, described in the schedule of this Bill, for gold mining purposes. He was present with the Native Minister on the occasion when that agreement was made; and, while he was still there, news arrived at Ohinemuri of the death of Mr. John Williamson, who was then exercising the delegated authority of the Governor under the Gold Fields Act. There being no local authority there, the Governor was pleased to delegate his authority to him (Dr. Pollen), who was on the spot. On the 6th March, Ohinemuri was proclaimed a gold field, and all the necessary regulations for bringing the Act into force were issued. The gold field was proclaimed under "The Gold Fields Act, 1866," notwithstanding that the Gold Mining Districts Act was in operation in the districts close to Ohinemuri. The gold field was believed to be of an alluvial character, and it was thought better, in the interests of the present and future inhabitants, to proclaim the gold field under the Act of 1866 rather than under the Gold Mining Districts Act. The

fifth part of the Act of 1866 prescribed the mode in which agricultural leases should be granted upon land set apart for that purpose in gold-mining districts, and it provided that no portions of that section should be brought into operation except by Proclamation of the Governor, and that no such Proclamation was to be issued except upon the request of the Superintendent and Provincial Council of any province. In the May following the proclamation of this gold field, the Provincial Council of Auckland was in session. Excepting the production of a little official scandal, the opening of the Ohinemuri Gold Field had not any satisfactory results. The expectations formed of it in the first instance were by no means realized by the experience of the first two or three months' operations on the field. Whether or not the attention of the Provincial Government was not sufficiently directed to the steps which were necessary to be taken to bring the agricultural clauses into operation in the province, he could not say; but the fact was, that no application was made by the Superintendent or Provincial Council to have that portion of the Act of 1866 brought into operation in the Province of Auckland; and consequently, when it became necessary afterwards to issue agricultural leases, there was no lawful authority to issue them. There was some correspondence of the usual recriminatory character in which the Government had from time to time been unfortunately involved with his Honor the Superintendent of Auckland; and finally a proposal was made that the Government would undertake to bring in a Bill to validate any leases which his Honor might issue, with the advice and consent of his Executive Council, on the Ohinemuri Gold Field. This was in June, 1875; but the last session of the General Assembly was allowed to pass without any proposition being made on the part of the Auckland Provincial Government to have those leases validated. On the 15th July, his Honor the Superintendent issued regulations for granting agricultural leases within the Ohinemuri Gold Field under the terms of clause 5 of the deed for the acquisition of that block procured from the Natives in February, 1875, which regulations were meant to be brought before the General Assembly of New Zealand. Those regulations did not purport to be made in conformity with the provisions of the Act of 1866 at all. As a matter of fact, they went entirely beyond the limitations imposed by that Act, and in short had no lawful sanction of any kind. The Gold Fields Act provided that those agricultural leases should not have a longer currency than seven years. Those leases issued by his Honor the Superintendent of Auckland, on his own authority, were for a period of twenty-one years. This Bill proposed to validate those leases, and it proposed also to apply the fifth part of "The Gold Fields Act, 1866," to the Gold Mining Districts Act which was now in operation over the Ohinemuri Gold Fields, and which made no provision for the issue of agricultural leases. The consequence of this arrangement, if it were carried out, would be that there would be on that

gold field two systems of leasing, one for twenty-one years and another for seven years, which would be a very inconvenient arrangement indeed. It would therefore be necessary to make considerable alterations in this Bill, and he would ask the Council to allow it to be read a second time now, simply for the purpose of affirming the principle that, a very large number of people having been induced to take up those leases, it would be necessary to make some legal provision for securing to them the tenure of their holdings. If the Council would allow it to be read a second time, he would not ask for its committal for some days, and he would submit it to the Law Officers to give it proper shape, and to bring it into conformity as far as possible with the Act of 1866.

Bill read a second time.

OAMARU TRAMWAYS BILL.

*The Hon. Mr. BONAR, in moving the second reading of this Bill, said he was happy to see that members seemed to take great interest in it. It was an important matter relating to a very rising township, and one which had always been viewed with favour by the House. The Bill was promoted by the Borough Council of the Town of Oamaru, its object being the construction of a tramway to connect the main line of railway between Dunedin and Oamaru with the shipping port of the latter place, passing through part of the town. This work would be a great public convenience to a very large section of the community. That fact seemed to have raised a feeling of opposition to the Bill in another portion of the community, as was evidenced that day by a petition presented to the Council against the Bill, and signed by, he thought, 150 inhabitants of Oamaru. He thought it only right he should inform the Council that a petition in favour of the Bill, signed by 350 inhabitants, had been presented to the other branch of the Legislature, where the Bill had been considered by a Committee, and favourably reported on. Therefore, so far as the petitioners' numbers went, those in favour of the tramway had a very considerable majority. Under ordinary circumstances this was a matter which would not require to come before Parliament at all. It might be in the recollection of honorable members that in the year 1872 an Act was passed, called the Tramways Act, and under that Act application was made in the course of last year, by some persons who were willing to construct this tramway; to the Superintendent, in whom the reserves at that time were vested, asking his permission to allow this tramway to be constructed over the reserve, which he thought he was correct in stating was set apart for public purposes. This permission was granted by the Superintendent, but subject to a report by a Select Committee of the Provincial Council. But before that Committee reported, another Bill was passed by this Legislature, called the Oamaru Town Hall and Gasworks Sites Act, which passed through the Council, dealing with the purposes of this reserve, and setting apart the reserve in question for public recreation; and hence the necessity for coming to Parliament now to ask permission to

construct the tramway through a certain portion of this reserve. He hoped the Council would recollect that, previous to this, the Superintendent, in whom the reserve was vested, had been obtained for laying out the reserve. He apprehended the motives of that work were not a very important change then being made, but would have heard more about it when it was before them last session. The fact that through which this tramway was proposed to run was laid out on the plan in his hand, really affected in no material way the land which had been set apart for recreation purposes. In fact, the main portion of the land through which this tramway was proposed to run was that which it was intended to set apart for gasworks. Objection was taken to its being erected in the centre of the town, but that reason alone he thought the permission was not granted. If the works had not been objectionable in themselves, he did not think material objection would have been taken by the House to granting this piece of land for that purpose, and therefore he could not see why great objection should be made to allowing the construction of this tramway, which would be a great public convenience. Probably, when the matter came to be thoroughly investigated, no doubt it would be, by the Waste Lands Committee, they would be able to get evidence on point; but, so far as he was informed at present, the ground was practically unused for the purpose of public recreation. Additional care seemed to be taken that no advantage should be taken of the public in any way by undue haste. Before any steps could be taken, advertisements would have to be published, stating that it was the intention of the Corporation to construct a tramway, and, if within fourteen days of that time one-half of the ratepayers of Oamaru lodged a memorial with the Corporation against its construction, it was not proposed that the tramway should be constructed. Further provision was made that, if the work was constructed by any private individuals, there should be full power for the Minister for Public Works to arrange for the free traffic of all Government trucks, engines, and rolling stock of any kind whatever, over the line of tramway. The public interests were in every way protected in the Bill. If permission was not given to allow the tramway to pass over this small section of the reserve, the only other alternative line would be along one of the principal streets, which would necessitate the construction of a turntable in the streets, with a branch line to the railway. This, he thought, would be found to be a much greater inconvenience than allowing a line of tramway to run over a piece of unoccupied ground. It would also be the means of saving the expense at present incurred by many people residing there in the carriage of goods, and probably that would account for some of the opposition raised against this Bill. The construction of this tramway would also have the effect of relieving the streets of Oamaru of a great amount of heavy traffic—a result which must commend itself as being a

matter of importance to the Corporation and ratepayers of the town. He trusted the Council would see its way to give effect to the wishes not only of the Corporation, but of such a large section of the inhabitants as had already intimated their desire that the Bill should pass. He need not tell the Council that Oamaru was a rising place, and that the harbour works there had proved of immense benefit. The population, he believed, had nearly trebled during a very few years, and it promised to become a town of very considerable importance. He was sure there was an absolute necessity for connecting the jetty and the harbour works which were now in course of construction, with the main line of railway; and he thought that should at once commend itself to the Council as a most desirable object to accomplish.

* The Hon. Mr. HOLMES said that whilst his honorable friend was speaking, the thought passed through his mind, What an admirable lawyer was spoiled by making him a merchant! He had not heard a better plea made in a bad cause for a long time. What were the facts of this case? The reserve in question was set apart for the recreation of the people of Oamaru. It was in the centre of the town, and, almost ever since the township was occupied, efforts had been made to deprive the people of their right to this reserve, or, at any rate, to encroach upon it. That was the case last year. The very land in question was applied for as a site for gasworks, to poison the people in the neighbourhood. The Council took that Bill into consideration, and with its usual deliberation saw that it was undesirable, and threw it out; and he hoped they would take a similar course in the present instance. He looked upon it as a circumstance of some importance that the Superintendent had not the power—or, at any rate, had ceased to have the power—of dealing with this reserve. If he could give it up for such a purpose, he thought that power was better in other hands. By a reference to the map, it would be seen that the reserve in question had been cut up in an extraordinary manner. First of all, a new water-race had been cut through it, without filling up the old one, and the consequence was that there were two water-races there. Then, again, a site for a school was taken. He did not oppose that, because he thought the object was a good one, and the piece of land required was not large. Then, again, the railway line was taken through the land, and so much subtracted from it. The value of the reserve had thus been lessened as a recreation ground. Part of this reserve was laid out as a cricket ground, and was used for that purpose. The same portion was also used as a playground for the children. In a very short time the land referred to in this Bill would be wanted for gardens, as the Corporation of Oamaru had obtained the services of one of the best gardeners in the district for the purpose of laying out these reserves and beautifying the town. He could not see, therefore, what plea could be urged in favour of taking the land for the tramway. Besides, it was not necessary for the purpose of constructing the tramway. He was intimately

acquainted with the contour of the place, and he could say, as a fact, that if the parties concerned pleased to make a slight detour, by very slightly increasing the length of the tramway, they could accommodate a great many more people and have an equally good line. He thought that what he had said was sufficient to convince the Council that it was not desirable that this recreation ground should be further cut up. It was highly undesirable that a piece of land such as this, which would be the very lungs of the town in future, should be taken for any other purpose than that for which it was originally granted. He therefore moved, That the Bill be read a second time this day six months.

* The Hon. Captain FRASER had great pleasure in seconding the amendment. This Bill was like a lady's letter—there was a great deal of useless matter in it, but the whole secret was in the postscript. The last clause contained the whole meaning of the Bill. The tramway was put forward because it bore a popular name. The object of the Bill was not to make a tramway, but to enable certain individuals to further their own interests. Two firms were going to make this line from two mills, making a curve line along the street to a siding in the railway. The Hon. Mr. Bonar said something about wagoners who at present carried the traffic between the harbour works and the railway. This Bill would deprive those people and their families of the means of livelihood. The Council had laid down the principle that no recreation reserves were to be tampered with or alienated. This Bill was a perfect sham; and the intention was not to make a tramway, but to make a curve line from the mills to carry flour to a siding in the railway, taking it across the recreation reserve right through the cricket ground, and interfering with the playground of the school children. He hoped the Council would throw the Bill out, and recognize the principle they had laid down all along. The Government was very much to blame for something they did last year. They gave away the Oamaru Esplanade to the Harbour Board, cutting the people off from a reserve which was intended for them; and the only land left to them was this small piece of ground. In other parts of the world—in Manchester and other cities—people had thrown down houses to provide parks for the people; but here they were going to allow the only recreation ground the Oamaru people possessed to be taken by grasping commercial people. He hoped the Council would not permit this act of aggression on the people. He stood up there for the rights of the people—on behalf of the women and children who would be deprived of air if this Bill was to be carried.

* The Hon. Mr. CAMPBELL would not like the debate to close without making a few remarks, as he believed the Hon. Mr. Holmes and himself were the only members personally acquainted with this land. As far as he was aware, this Bill had been promoted by a very few individuals for their own personal benefit; but he knew that it would be exceedingly disadvantageous to the people of Oamaru if their only recreation ground was allowed to be divided as

was proposed by this Bill. The whole recreation ground of Oamaru amounted to 8½ acres. The population of Oamaru was about 6,000; and if the harbour progressed and the exports increased, there was no doubt the population of the town would become very large. Therefore he thought they should be very careful how they allowed this very small recreation ground to be injured in the way proposed by this Bill. If in London it was proposed to make a tramway through Hyde Park, there would be a howl almost throughout the whole of England; and it was now proposed to do exactly the same thing here. It was only called a tramway, but there was a proposal in the Bill to enter into an arrangement with the Minister for Public Works to run trains upon it. This was to be a railway going up the main street of the town, and subdividing it in the most extraordinary manner. There was no provision even for gates; and there was actually to be no crossing in the main street. There was no doubt whatever that this ought to have been brought in as a private Bill. It had nothing whatever to do with a large section of the people, and it was only for the benefit of a few storekeepers at a particular end of the town. He hoped the Council would support the Hon. Mr. Holmes's amendment.

The Hon. Mr. WATERHOUSE said he was inclined to support the amendment of the Hon. Mr. Holmes. He had seen the reserve in question, and he thought it was for the interest of the inhabitants, not only at present but in future, that it should not be encroached upon. He had seen a number of persons amusing themselves at various games on this reserve, and he was glad to see that the inhabitants of Oamaru had a reserve of that kind in the very heart of the town. With regard to this Bill, there appeared to be a great difference of opinion among the people resident there. They had a petition to-day from 150 inhabitants against this Bill; and the representatives of Oamaru were themselves divided in opinion on the subject. Under these circumstances, he thought no injury could arise from postponing the consideration of this Bill for another session, until there was, on the part of the inhabitants of Oamaru, a more decided expression of opinion. He had always voted in favour of maintaining the integrity of reserves, and he would vote in that direction on this occasion by supporting the amendment.

The Hon. Mr. MANTELL said that when, nearly twenty-five years ago, he recommended the Governor to make certain reserves in the Middle Island, he thought this reserve in Oamaru was the one which brought the greatest ridicule upon him. He now learned, on good authority, that there was a town there of 6,000 inhabitants. He was sorry to hear that part of the original reserve had long since been sacrificed—had been sold for some reason or another; and now it would appear that the only reserve remaining was this reserve of eight acres. As it was allowed that there was a difference of opinion amongst the inhabitants of Oamaru, and also among their representatives, with regard to this Bill, he was fully disposed to adopt the same

course as the Hon. Mr. Waterhouse. He thought no great harm would be done by allowing the question of the diversion of this reserve to stand over for another session.

* The Hon. Mr. BONAR did not think he would have so formidable a task when he undertook to introduce this Bill. He was sorry it did not find favour with the Council, but he trusted they would afford the same consideration to this Bill as they did to all others affecting the waste lands, and would allow it to be fully investigated by the Waste Lands Committee. The principal objection taken to the Bill was an objection which, under ordinary circumstances, he felt very strongly in dealing with reserves—namely, that any reserve set apart for recreation purposes should not be alienated. But he would ask the Council to consider the special circumstances of this case. Before this ground had been set apart for recreation purposes, an application had been granted for the construction of this tramway through the land. He thought that ought to be allowed to weigh in the minds of honorable members. It was not like a recreation reserve set apart for a long time, and used by the public.

The Hon. Mr. HOLMES thought the honorable member was misleading the Council. The land in question was set apart, he thought, by the Hon. Mr. Mantell, upwards of twenty years ago. It could not possibly be set apart twenty years ago for a tramway, as such a thing was then unknown in New Zealand.

* The Hon. Mr. BONAR would be sorry to mislead the Council, but he believed he was correctly informed when he said that this land was set apart for public purposes, and not for recreation purposes, till the Act of 1875 was passed. On reference to the debate which took place on the Gasworks Site Bill last session, he found that the chief objection was one taken by the Hon. Mr. Holmes, and the whole effect of that objection was that offensive works were proposed to be erected in the immediate neighbourhood of the school, and in the centre of the town. Objection was not taken to the alienation of this land as having been previously set apart for public recreation. It was a matter of great public convenience that this work should be carried out, and he did not think the remarks of the Hon. Captain Fraser could be borne out. That honorable gentleman stated that this work was proposed to be carried out in the interests of two particular mills. He (Mr. Bonar) could not think so poorly of the ratepayers and burgesses of Oamaru as to believe that they would elect men to represent them in the Borough Council who would promote a measure such as this for the benefit of one or two individuals. As he had said before, this Bill was brought forward at the request of the Municipal Council of Oamaru, and it was stamped with their approval and sanction. They objected to private individuals constructing this tramway through the town, and said it should be part of a general system; and therefore they requested that this Bill might be brought in in its present form. He would pass over the comments of his honorable and gallant friend in reference to the

wagoners and their children. He thought they had heard the same argument urged very strongly in the old country when railways were first introduced; and it was found to be wholly groundless. With reference to what fell from the Hon. Mr. Campbell as to there being no provision in the Bill respecting gates and crossings, he thought the honorable gentleman must have overlooked section 5, which expressly provided for such matters. The Corporation would have had power to deal with the streets. All that this Bill asked for was power to take the tramway through the reserve, and power could be taken to have gates erected where necessary. He was informed that the ground which it was proposed to use for this tramway would not be readily used for purposes of public amusement, at all events at present.

The Hon. Colonel KENNY said he understood the tramway was to run down to the breakwater through part of the recreation ground. There appeared to be four sections of private land between the breakwater and the recreation ground, and he wanted to know from the honorable member whether the tramway would injure or benefit the owners of those sections. If so, it would certainly be a private Bill.

* The Hon. Mr. BONAR said that all the Bill asked for was the privilege of taking the tramway through the reserve. He presumed arrangements had been concluded by the Corporation; and all the Bill asked was simply authority to construct the tramway through a portion of the reserve made last year.

Amendment agreed to, and Bill ordered to be read a second time that day six months.

The Council adjourned at five minutes past nine o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 10th October, 1876.

Northern Wairoa Telegraph—Judges' Salaries—Hokitika Streets—Waimea Water-race—Sir J. Vogel's Mission to England—T. Joyce—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

NORTHERN WAIROA TELEGRAPH.

Sir R. DOUGLAS asked,—(1.) If it is the intention of the Government to extend the telegraph to some point on the Northern Wairoa? (2.) If, when doing so, the Government will cause the line to be taken through Hakaru, Mangaturoto, and Paparoa? (3.) If, when the above work is carried out, a telegraph station will be erected at Hakaru? In asking this question, he would like to make a few remarks explaining the reason why he put it. It appeared that much misapprehension existed as to the intention of the Government in making this Northern Wairoa telegraph. He had been asked, by the settlers in the districts mentioned in the question, to make inquiries of the Government as to whether they were inclined to carry the telegraph through the

portions of the country which had become populated.

Mr. WHITAKER had to inform the honorable gentleman that there was no money available for carrying the telegraph in the way in which he proposed. To do so would involve an expenditure of £4,400. He could not promise that anything would be done by the Government in the matter between this and the next session, and it would have to stand over until that time.

JUDGES' SALARIES.

Mr. HARPER asked the Minister of Justice, Whether the Government intend to amend "The Civil List Act, 1873," for the purpose of increasing the salaries of the Judges of the Supreme Court? In putting this question, he wished to state that he thought the Judges of the Supreme Court in New Zealand had been overlooked by the House when voting salaries. He found, by referring to a return, that the last time an increase in the salaries of the Judges was made was in the year 1862. Since that time the population of the country had considerably increased, and the work which the Judges had to perform had increased proportionately. So long a time had elapsed since an increase had been made in the salaries of the Judges, that he thought it was time to ask the Government to do something towards raising their respective salaries. He found that the salaries of other officials, such as the Comptroller and Auditor, had been increased in the year 1873 or 1874, but no increase had been made in the salaries of the Judges since 1862; and the fact should not be overlooked that the Judges of the Supreme Court in Australia were paid much higher than the Judges of the Supreme Court of New Zealand; and in some colonies, such as South Australia, Tasmania, and Queensland, the duties which the Judges of the Supreme Court had to perform were far less than the duties which the Judges of the Supreme Court of New Zealand had to discharge. For these reasons, and also looking to the high professional standing of the Judges, he thought that they had fair claims for an increase of their salaries.

Mr. BOWEN said the Government regretted they were at present unable to enter into any arrangement for the increase of salaries.

HOKITIKA STREETS.

Mr. BUTTON asked the Government, If a Bill should be introduced this session to enable the Corporation of Hokitika to close part of Hamilton Street, Weld Street, and Stafford Street, in the Town of Hokitika, and to enable the present occupants of the parts proposed to be closed to purchase the land so occupied by them, whether the Government would support such a Bill? In asking this question, he wished to remark that he knew perfectly well that at this period of the session, unless the Government were prepared to support a Bill of this kind, it was utterly useless to expect that it would be passed through the House. He thought the parties who were interested in this matter had some claims for consideration. In the early days of Hokitika, when the sec-

tions were all laid out without reference to these particular streets, certain persons, who now occupied valuable business sites at the ends of the streets, took up their sections just in the same way as other people did, but they were prevented from acquiring the freehold of these streets. The streets proposed to be closed were close to the beach, and were not likely to be much required, and the closing of them was recommended by the Borough Council. Under the Municipal Corporations Act which had been passed through the House, there was power given to the Borough Council to close any street, or to alter any street, but there was no power for them to deal with the land that had been occupied by these streets. Under the Public Works Bill that was before the House, there was a provision that when counties or other bodies of a similar nature closed up roads or streets, they had the power of disposing of the land. There was no such provision with regard to Borough Councils; they had the power to alter a road or close it, but no power to deal with the land. Under the Highways and Watercourses Act, which was proposed to be repealed by the Public Works Bill, nobody could have this power; but under the Public Works Bill the Governor in Council would have the power of disposing of the land. He asked the question in order to ascertain if the Government would introduce a measure of the kind alluded to. There was no doubt that these persons had some claim to consideration. The rest of the inhabitants of the town were allowed to have their freehold sections, while the persons referred to unfortunately occupied sections which were afterwards required for a street, not actually for the sake of street communication, because the street had never been made through the property. It appeared on the map as having been surveyed, and the occupants of the land were unable to acquire the freehold. The Government might be prepared to allow them to continue to occupy, and, if they were removed, to give them a certain amount of compensation. That would be some way of compromising the matter. He believed the House would be prepared to consider their claims, and he should like to know what the Government intended to do in the matter.

Mr. SPEAKER was unwilling to interrupt the honorable member; but if such a measure were introduced, it would have to be dealt with as a private Bill.

Mr. BUTTON supposed it would be too late in the session to introduce such a measure.

Major ATKINSON was afraid it was too late in the session to introduce a Bill on this subject. The Government would be very glad to assist the honorable gentleman as far as possible, but he feared there was no possibility this session of such a Bill being passed.

WAIMEA WATER-RACE.

Mr. BUTTON asked the Government, If it is their intention to proceed immediately with the completion of the Waimea Race? He would like to remark that now that the new gold field at the Kumara had attracted so much attention, and

required so much water to make it successful, it became very important that this Waimea Race should have something done to it. It was all the more important, because lately an application was made by a private company for a second right to water, subject to the Government's claim, the company desiring to bring water on to the Kumara diggings. The Government had not only maintained their own right, but had prevented all interference with the head supply. There were close upon 5,000 people on the Kumara diggings, and water was very scarce there. The water could be easily diverted to the Kumara, and would be the means of keeping a large number of persons employed on the diggings.

Mr. RICHARDSON replied that, when the Public Works Statement of the late Government was brought down, it was not the intention to complete the large and expensive works on the Waimea Race; but since that time the diggings to which the honorable member alluded had assumed proportions which rendered it necessary for the Government to take the matter again into serious consideration. The Government had so reconsidered the matter, and when in the course of a day or two he brought the Public Works Appropriation Act forward, he intended to make a proposition to enable the Government to complete this race. The Government would do so mainly because the water supply upon which the new diggings had to rely was monopolized by the Waimea Water-race. He might add that, when the proposition was made, it would be accompanied by a proposal that the water-race should not be handed over to the county in which it was situated.

SIR J. VOGEL'S MISSIONS TO ENGLAND.

On the motion for going into Committee of Supply,

Sir G. GREY moved, That a Select Committee be appointed to inquire into the cost to the colony of the two missions of Sir Julius Vogel to England; such Committee to consist of Mr. Andrew, Major Atkinson, Mr. Luak, Mr. Stevens, Mr. Rolleston, Mr. Rees, and the mover; with power to call for persons, papers, and accounts, and to report within four weeks; five to be a quorum.

Major ATKINSON would be prepared to agree to the inquiry if the matter were referred to the Public Accounts Committee, a Committee which was well known to the House, and which was appointed to inquire into all financial matters.

Sir G. GREY thought the matter was one which required the attention of a special Committee. He did not think it properly fell under the notice of the Public Accounts Committee.

Motion, "That the words proposed to be omitted, stand part of the question," negatived.

On the motion, That the words of the amendment be inserted in lieu thereof,

Major ATKINSON moved as an amendment, That it be referred to the Public Accounts Committee to inquire into the cost of the two missions of Sir Julius Vogel to England.

Sir G. GREY trusted that his motion would be carried. If the Public Accounts Committee

had thought it necessary to inquire into the subject, they would have done so long ago. He submitted that this was a question which, in the present state of the colony, was of very great importance, and was worthy of very considerable attention. He thought it was extremely wrong, when he proposed that a subject of this kind should be specially inquired into, that his motion, which was given so long ago as the 7th September, and which he had not had an opportunity of bringing forward before the previous day—an opportunity which he could not very well avail himself of owing to the hurried way in which the business was carried on—should have been traversed by the Government without their giving him any notice of their intention. What could be the object of the Government in taking such a course? There must be some design in it. There could be no objection to the Committee he had named; but, if there were, other names might be substituted, or other names might be added. At the present moment, the country was plunged into such a state of financial difficulty through extravagant expenditure that serious inquiry should be made with regard to that expenditure; otherwise he would not have moved this motion. He believed the inquiry would show the nature of the extravagance that had been committed, and open the eyes of the people of the colony in regard to the difficulty into which it had been led, and in which it was now involved. It was a very wrong thing to try to stop fair inquiry of the kind he asked for, and it was still his duty to press the motion he had moved.

Mr. BOWEN said this was strictly a matter of account, and should therefore be referred to the Public Accounts Committee. It would be a very unusual course to refer a question of this kind to a special Committee. The Government certainly thought they were meeting the honorable gentleman in the spirit in which he wished the inquiry to be made, by proposing that the matter should be referred to the Public Accounts Committee. As a matter of fact, all the information the honorable gentleman wished to obtain could have been supplied in the shape of a return, had he moved for it.

Mr. HODGKINSON had not forgotten why the Government desired to have this matter referred to the Public Accounts Committee. There was very good reason for it. It would be recollected that there was a very serious discussion about the appointment of the Public Accounts Committee, and that, out of the fifteen gentlemen who composed it, twelve were Government supporters. It would be remembered, too, that when it was proposed to add the name of the honorable member for Auckland City East to that Committee, the Government offered violent opposition; and he contended that the Committee, as at present constituted, was a packed Committee, and not to be trusted in a matter of this kind. He should certainly support the motion of the honorable member for the Thames. He had not forgotten the extremely improper conduct of the Government and their supporters in regard to the appointment of that Committee three months

ago, and he felt that there was no course open to him but to support the motion.

Mr. STEVENS thought the reference of the question to the Public Accounts Committee would answer every purpose, because the words of the resolution were so clear, and so narrowed down, that it was impossible that any party feeling could enter into its proceedings, whatever might be its constitution. The motion really meant that a Committee should be appointed to ascertain the cost of the mission of a certain gentleman on two occasions. It was impossible that there could be any falsification of facts by the Public Accounts Committee, and it would be admitted on all hands that they were as capable as any other Committee of ascertaining those facts. He trusted the honorable member for the Thames would allow the matter to go before that Committee.

Mr. W. WOOD considered that as the member for the Thames had been taken by surprise, and rather improperly so, in a matter to which he attached considerable importance, it was only fair that the debate should be adjourned. The Government should have given the honorable gentleman notice of their intention to propose such an amendment. They had had two months to consider the matter, and should now give the honorable member for the Thames time to consider their proposal. He would move the adjournment of the debate.

Mr. SPEAKER said it was not competent for the honorable member to move such an amendment, as its effect would be to obliterate the motion for going into Committee of Supply.

Mr. REES was somewhat surprised that the Government should object to the appointment of a special Committee to consider the matter. Regarding for their own honor should have induced them to consent to the appointment of such a Committee; but it seemed that they did not care much for their honor. The motion of the honorable member for the Thames was a very simple one, and he could not understand why the Government should resist it. Why should the Premier be so very desirous to refer the question to the Public Accounts Committee? Three-fourths of that Committee consisted of Government supporters. Honorable members might say "No," but let them look at the names, and they would see whether it was so or not. He was quite surprised that the Government should decline to allow the matter to go before a Committee composed of three members of the Opposition, one member of the Government, one known supporter of the Government, and two or three who were independent of either party. What could be their object in refusing? Was it that they wanted to shield themselves from something that they knew to be wrong? Was it because they had formed a determination that the light of day should not be let in upon this question, or what was it?

Mr. BOWEN.—They desire to have the matter inquired into impartially.

Mr. REES.—Impartially! By a Committee composed of Government supporters, in the proportion of three to one, and in the style in which things were usually inquired into in that House—

that kind of impartiality where, no matter what arguments were brought forward, no matter how the truth suffered, they were overwhelmed by Government supporters. Was that impartiality? He hoped the honorable gentleman's conduct would never be judged by such impartiality. He hoped when the tide turned, as it was turning now, the honorable gentleman would not have to encounter such impartiality. It would fare very hardly with the honorable gentleman if he did. He had heard some very strange things of the Government before he had the honor to occupy a seat in that House, but he was scarcely prepared for what he had seen since he had been there. Every member of the House was concerned in this motion, which asked that an inquiry should be made into the cost of the two missions undertaken and carried through by the late Premier, Sir Julius Vogel, in relation to the business of the country in England. Was there anything extraordinary about that? There was something extraordinary, no doubt, about the amount of the expenditure; and seeing that certain rumours had got abroad, and that certain statements had been made in that House, it was very necessary that a special Committee should be appointed to inquire into the subject. The course the Government had adopted was most astonishing. They all knew that there was an old adage to the effect that "Whom the gods wish to destroy, they first make mad;" and he thought the Government were rapidly approaching that condition. They felt that their destruction was impending, and, in their struggle to avert it, they were hurrying it on. Day by day they gave proof of that high sense of honor which a Ministry should evince in presence of the House and the country. If their conduct in this case was to be part of those proceedings which led them to send out untrue statements to the country, which prompted them to profess belief in things that never existed, and to endeavour to shelter themselves under Her Majesty's name and that of the Law Officers of the Crown without any authority whatever, he could understand it, but on no other supposition could he do so. If the Government thought the Committee named in the motion would not act impartially, they should have proposed others, and probably the honorable member for the Thames would not have objected; but, instead of doing that, they proposed to refer it to a Committee about whose appointment there was a great contest, and from which his own name was excluded. And in relation to that matter, he should like to know why his name was not to be allowed to be put on this Committee. He would ask every honorable member in the House whether he knew an instance in which he had acted unfairly, either individually or in any other way whatever. He might have strong opinions on party matters. Everybody knew he had. He held strong opinions in regard to what he considered political uprightness and political honesty; but he would ask every member of the Ministry whether in anything he had done or said he had acted unfairly. Why, then, should they refuse to allow this question to be considered by this Committee because his name was on it?

Mr. BOWEN.—It is not so.

Mr. REES would ask them why it should be proposed to refer it to a Committee which had never sat this session, and never would sit. The member for Nelson City (Mr. Curtis) was Chairman of that Committee, but he had never called the members of it together. How was that? Was it because the finances were in such a sound condition? Not at all. The Treasurer knew that the finances were in such a muddle that it would take a very considerable time to get them in order. He did not think it was proper or manly that the Government should refuse to refer the question to the Committee proposed. It was not right to the House or to the country. The Committee would take evidence, report upon it, submit the report to the House, and it would still be in the power of the House to deal with the matter. He trusted the House would consent to the appointment of the Committee. There were two members on it—the member for the Thames and himself—who were opposed politically to Sir Julius Vogel; but did any honorable member suppose they would take an unfair advantage of Sir Julius Vogel on that account? Did any honorable gentleman believe that they would disguise the truth in any sense whatever, because of their political views? Putting aside his own name, he would ask if the career of Sir George Grey was such as to lead any one to believe for a moment that he would attempt to do an unfair or cowardly act. Then, the honorable member for Wairarapa (Mr. Andrew) was amongst those named. He presumed the Government were afraid of that honorable gentleman. He never supported them in the House! The honorable gentleman was known to go against them in every possible way! They knew that in one or two matters in which he could not succeed the honorable gentleman had opposed them, but in other matters he was a well-known supporter of the Government. Then there were the Hon. Major Atkinson, and Mr. Lusk, who, though a member of the Opposition, was as firm and impartial as any gentleman on the Committee. Then Mr. Stevens: he could not be accused of being in opposition to Sir Julius Vogel and the Ministry. Nor could Mr. Rolleston. The only other names were those of the honorable member for the Thames and his own; and he believed that if the honorable gentlemen on the Ministerial benches were on their trial upon anything at all in relation to which they had a good defence, they would as soon have his name and that of the honorable member for the Thames upon the jury as the name of any honorable member of the House, or any one in the country. Why was it that this Committee was not to be allowed? He could tell the House why it was necessary. Because Ministers knew, or believed, that these accounts would not bear the light. That was the sole reason. Because they believed these accounts would not be found to be consistent either with common prudence, or with common justice to the Ministry, to the House, or to the country. That was the sole reason. They desired to get a Committee which they knew would never meet; so that they might throw out this matter and de-

cline to allow it to be made public, whereas in the interests of the colony it ought to be made public. If this were to be allowed now, the next gentleman who went Home to negotiate a loan, or upon a mission, might spend £7,000 or £8,000; and if an inquiry into his case were granted, he might ask why he should be put to the crucial test of an examination, when Sir Julius Vogel's expenses were not subjected to any examination whatever. He trusted the House would not allow this to happen. For the purpose of allowing any remarks honorable members might have to make, he would move the adjournment of the House. It seemed to him that the Ministry ought never to have questioned the appointment of the Committee; but as the Government had taken up such a position, the matter ought to be fully discussed, and, to allow honorable members an opportunity of expressing their opinions, he would move the adjournment of the House.

Mr. BARFF had listened with great surprise to the statement made by the honorable member for Auckland City East, that the Public Accounts Committee had never met during the present session. He trusted that, before the conclusion of the debate, the House would hear that statement disproved if it was incorrect.

Mr. REES explained that he said he believed it had not met. He did not wish to say it had not met, for he was not a member of the Public Accounts Committee, and he was open to correction.

Mr. BARFF said it was a matter of very great importance to the House, and for this reason: The finances of the country had not been thoroughly discussed in this House or in the Committee during the present session, and no fair opportunity for discussing the finances had yet occurred. The honorable member would recollect a long discussion which took place upon the election of the Public Accounts Committee, and special reasons were given for and against the insertion of certain names. He did not altogether understand the arguments *pro* and *con*. upon that occasion. If the Premier, who moved that this matter should be referred to the Public Accounts Committee, knew that they had not met during the session, it simply amounted to this, that the question would be shelved. He did not wish the House to understand that he said or believed that any good would result from an inquiry of this kind. He did not believe that benefit to the extent of a single shilling would result from the inquiry as to the expenses of the late Premier on his visits to England. At the same time, if there was a doubt in the minds of any honorable members—there was none whatever in his own, and he wished to state that distinctly—as to whether those expenses were incurred fairly or not, it would, he thought, be far better for honorable members on the Government benches to allow the fullest opportunity for discussing the matter, so that the result might be laid before the country. He believed that, although the expenses of the late Premier might have been high, great excuse might be given for the amount expended; he did not believe that the money

was badly laid out, and he did not at all join in the cry that had been raised by some members of the Opposition upon the subject. It would be very wise for the Government to allow the appointment of this Committee, so as to prevent any question arising as to unfairness in the inquiry. Honorable members would wish to lay before their constituents their action in this Assembly, and the line of conduct they took in endeavouring to elicit certain facts which might otherwise be said to have been withheld from them.

Sir G. GREY believed he could speak again upon the subject. He wished to point out that it would have been exceedingly becoming that he himself should have had an opportunity of investigating the accounts, and of making up his mind as to the kind of expenditure that had been carried on. To attempt to shut him out from an advantage of that kind was a very improper proceeding, and he would recall to the recollection of the House the circumstances that took place when the Public Accounts Committee was appointed. He endeavoured to get one friend put on that Committee, but he failed in that object; and he believed that such a thing was never before done as a Government deliberately insisting upon constituting a Committee in the manner in which that Committee was constituted. The House would remember that objections were raised by several gentlemen on his side, who contended that the proceedings were most unfair, and they pointed out that if a new Government took office they would stand in the most unjust position of having a financial Committee appointed almost entirely from their opponents. Now the very gentleman who took the leading part in appointing that Committee, Sir Julius Vogel—for he was the person who selected the members of it, and prevented other gentlemen from being put upon it—was to have his own personal expenditure inquired into by it. That was contrary to all principles of right and justice, and he was sure it would not be satisfactory to the country. There were reports in circulation, whether right or wrong he did not know—and he had heard from sources which could not but be well informed—that the expenses incurred in these two missions was of a most extravagant kind, unnecessarily extravagant, and of a nature to set a very bad example to the public service. In drawing up the proposition for the appointment of the Committee, he inserted the unusual words "and accounts." The usual words were "with power to call for persons and papers;" but he specially added the words "and accounts" in order that the accounts might be laid before the House in their details. He hoped that, in order that he might instruct himself as to the nature of the circumstances which gave rise to the financial condition in which they were involved, he should have been allowed to investigate the accounts, which he thought would have afforded him a key to the mysteries upon which he was not well informed, so that he might make up his mind as to the steps that should be taken to reduce the great extravagance that had prevailed. He had hoped that a report would have been

made which would have prevented a repetition of that extravagance in the case of Sir Julius Vogel's present mission to England. He could only say that any information they had yet had as to the expenses to be incurred on that mission was of a most unsatisfactory character. In all proper Governments a certain sum for passage-money was fixed for public servants. They received that amount, and got neither more nor less. Nothing of that kind had yet been done here, and he had been in hopes that in the report of the Committee a rule of that kind might have been recommended, which might hereafter be adopted in the country. He thought, in other respects, that he and the public and the House had been unfairly used. He gave notice of motion on the 7th September, and when, on the previous evening, the matter came up and was postponed till to-day, he had no doubt that the motion, which was of an ordinary nature and of a plain kind, would have been at once acceded to. The gentlemen who had tried to traverse his action were not the real friends of Sir Julius Vogel, of Her Majesty's subjects in this colony, or of the public service. If Sir Julius Vogel stood in the same position as other honorable gentlemen who had gone to England did, he felt convinced that the inquiry he asked for would have been gladly conceded to him. He felt certain that if he had asked for an inquiry into the expenses of those gentlemen they would have thanked him as a friend, and any information elicited would have redounded to their lasting credit, as he knew to be the case. He still trusted that the Government would feel that the course they were pursuing was wrong, and would concede the Committee he had asked the House to sanction.

Mr. CURTIS said it appeared to him that the House was debating a subject of very small importance indeed. It could matter very little to what particular Committee an inquiry of this kind was relegated; for it was an inquiry of a positive character into certain facts. The Committee would simply inquire and report to the House the cost to the colony of the two missions of Sir Julius Vogel to England. It was a matter upon which there could be no controversy, and no political feeling could possibly be introduced. Therefore it was a matter of little importance whether it was referred to the Committee nominated by the honorable member for the Thames, or to the Public Accounts Committee. There was, however, one reason for referring the question of these accounts to the Public Accounts Committee, and that was that since that Committee had been formed it had been the custom of the House to refer questions of the kind to it for investigation. It was generally understood that the Committee was a tribunal of an impartial character, chosen to investigate questions of expenditure. The honorable member for Auckland City East had expressed surprise that the Committee had not hitherto met; but the honorable gentleman was mistaken upon that point. It had held one meeting, and he was informed it was not the custom to meet, as a general rule, unless to consider questions referred to it by the House. The

Committee had this session met without having anything referred to it by the House. When the present Government came into power, the Prime Minister called the Committee together—that being his duty, as its appointment, though not proposed by that honorable gentleman, had been moved by his predecessor—with the object of consulting the Committee with respect to the publication of certain correspondence between the Government and the Crown Agents. The Government were doubtful whether some portions of it were not of a confidential character, and they thought it desirable to consult the Committee as to whether it would be for the public interest to publish that correspondence *in extenso*. The Committee were of opinion that there were some parts of that correspondence which must be considered to be of a confidential character, and which it would not be desirable to publish, and they thought that the Government might wisely exercise their discretion in publishing only such parts of that correspondence as it was necessary to lay before the House. If this question were submitted to the Public Accounts Committee, it would no doubt be inquired into, and the Committee would report the actual statement of facts to the House without any political feeling entering into the question in any way whatever.

Mr. STOUT regretted that considerable time should have been taken up in discussing this matter. This arose from the way in which the Government inaugurated debates. They inaugurated a debate on the Counties Bill, and they inaugurated a debate on a telegram, and now on the question of appointing a Committee the names of which they did not, he believed, quarrel with. What was the use of having a debate, lasting for about an hour, on a thing which they now admitted was of no moment? He could not understand that at all. If what was to be investigated was of no moment, why should they not agree to the motion? If the honorable member for the Thames, who moved for the Committee, was not allowed to be on the Committee, the result might be that the Public Accounts Committee might never meet or discuss the matter. He could not possibly conceive why the Government should raise such an obstruction to the public business.

Mr. STAFFORD said it was not very agreeable to honorable members of the House, either individually or collectively, to be placed under the necessity of scrutinizing the character of a Committee as to whether it would act fairly or not. For his own part, he should have had no objection whatever to have seen the proposition of the honorable member for the Thames acceded to, had it not been for the remarkable speech of the honorable member for Auckland City East. The honorable member emphatically declared that the Public Accounts Committee was not a fair tribunal; he called it a packed tribunal. The honorable member chose to use the word "packed," and he (Mr. Stafford) threw that word back in his teeth. It was most essentially a packed Committee which was proposed by the honorable member for the Thames. It was a Committee composed, with very few exceptions,

of known political opponents and attackers of Sir Julius Vogel—persons known to be so, with very few exceptions; and therefore, if such a very improper expression—and he held it to be a very improper term to use—if such an improper phrase as “packed” could be used with reference to the Public Accounts Committee, *à fortiori* it was practically applicable to the Committee proposed by the honorable member for the Thames. The subject to which this Committee referred was one upon which there could be nothing more than a matter of examination. The object for which the Public Accounts Committee was appointed was not to advise as to a financial policy, or to decide a financial policy—to point out where the financial policy of the Government was wrong, and make some recommendation for some other policy as a substitute for it. The Committee had nothing whatever to do with such a matter. The Public Accounts Committee in this country was somewhat similar to the Committee in England, where it held a very important position with reference to the Imperial Parliament: it was simply a Committee to determine whether the will of the Parliament had been properly given effect to, whether moneys had been expended in accordance with the will of Parliament, and whether the accounts had been kept in the way in which the Parliament desired that they should be kept; and it was intended to be a check on the improper expenditure of the public money. The Committee had from time to time made most valuable suggestions as to the way of stating the public accounts. The question as to whether there should be a Controller or not was one of the questions brought before the Imperial Public Accounts Committee, and after a great deal of consideration and investigation they reported against it. The Imperial Board of Control was consequently done away with, and a system of audit established in its place. That was a specimen of the functions which the Public Accounts Committee had to perform. The Committee—as the Committee of the House of Commons—had to consider all matters referred to it in connection with the public accounts. It had nothing whatever to do with regard to indicating the financial policy of the Government; still less had it any right to say that the financial policy had worked injuriously. It had nothing whatever to do with that. That was a Ministerial question. It was a question for which the Colonial Treasurer and his colleagues were entirely responsible for initiating, and this House for adopting or rejecting. It would be most improper for this House to relegate to any Committee the question of determining what should or should not be the financial policy of the country. With reference to the Committee under consideration, he thought it might have been accepted as proposed. He thought it would have been more advantageous to Sir Julius Vogel if it had been so accepted, because he believed its report would be exactly the same as that of the Public Accounts Committee—namely, that so many pounds shillings and pence would be shown to have been expended exactly in the same direction by the one Committee or the other.

It certainly could not be shown that Sir Julius Vogel had been in any way favoured by the Public Accounts Committee. By the action taken by some honorable members it might be thought possible that everything would not be reported as it should be by the Public Accounts Committee. His only reason for opposing the motion of the honorable member for the Thames was the improper imputation which had been cast upon the honor of the Public Accounts Committee. For that reason, he should oppose the motion of the honorable member for the Thames.

Question put, “That the words proposed to be omitted stand part of the question;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	39
Majority against...					16

AYES.

Mr. Baigent,	Mr. Macfarlane,
Mr. Barff,	Mr. Nahe,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Burns,	Mr. Sheehan,
Mr. De Lantour,	Mr. Stout,
Mr. Dignan,	Mr. Swanson,
Mr. Fisher,	Mr. Thomson,
Sir G. Grey,	Mr. Tole,
Mr. Hamlin,	Mr. W. Wood.
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Joyce,	Mr. Hodgkinson,
Mr. Lusk,	Mr. Rees.

NOES.

Major Atkinson,	Captain Morris,
Mr. Ballance,	Mr. Murray,
Mr. Bowen,	Mr. Murray-Aynsley,
Mr. Bryce,	Mr. Ormond,
Mr. Bunny,	Mr. Pearce,
Mr. Button,	Mr. Reynolds,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Richmond,
Sir R. Douglas,	Mr. Rolleston,
Mr. Gibbs,	Mr. Seymour,
Mr. Harper,	Mr. Stafford,
Mr. Henry,	Mr. Stevens,
Mr. Hunter,	Mr. Tawiti,
Mr. Johnston,	Mr. Teschemaker,
Mr. Kennedy,	Mr. Wason,
Captain Kenny,	Mr. Whitaker,
Mr. Larnach,	Mr. Woolcock.
Mr. Lumsden,	<i>Tellers.</i>
Mr. G. McLean,	Mr. Kelly,
Mr. Montgomery,	Mr. Pyke.

PAIR.

For.

Mr. Takamoana.

Against.

Mr. Tribe.

The motion was consequently negatived.

Question put, “That the amendment be agreed to;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	48
Noes	...	...	...	...	16
Majority for					32

AYES.

Major Atkinson,
Mr. Baigent,
Mr. Ballance,
Mr. Bowen,
Mr. Bryce,
Mr. Bunny,
Mr. Button,
Mr. Carrington,
Mr. Curtis,
Sir R. Douglas,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Harper,
Mr. Henry,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kennedy,
Captain Kenny,
Mr. Larnach,
Mr. Lumsden,
Mr. Lusk,
Mr. G. McLean,
Mr. Montgomery,

Captain Morris,
Mr. Murray,
Mr. Murray-Aynsley,
Mr. Ormond,
Mr. O'Rorke,
Mr. Pearce,
Mr. Reynolds,
Mr. Richardson,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Sheehan,
Mr. Stafford,
Mr. Stevens,
Mr. Swanson,
Mr. Tawiti,
Mr. Teaschemaker,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Kelly,
Mr. Pyke.

NOES.

Mr. Barff,
Mr. J. C. Brown,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Joyce,
Mr. Macfarlane,

Mr. Nahe,
Mr. Stout,
Mr. Thomson,
Mr. Tole,
Mr. W. Wood,

Tellers.

Mr. Hodgkinson,
Mr. Rees.

PAIR.

For.
Mr. Tribe.

Against.

Mr. Takamoana.

The amendment was consequently agreed to.

T. JOYCE.

On the motion, That the House go into Committee of Supply.

Mr. BUTTON moved, That this House will, on Friday, the 18th day of October, go into Committee of the whole, to consider an address to His Excellency the Governor, requesting him to place the sum of £398 on the estimates, to provide for the recommendation of the Public Petitions Committee on the petition of Thomas Joyce. He moved the motion in this way, because he saw little chance of getting the matter under the notice of the House if he trusted to the ordinary course. He would not, however, take up the time of the House by offering any remarks upon the case.

Mr. REYNOLDS said that, if the Government were not prepared to express any opinion on the matter through the suddenness of the honorable gentleman's motion, it would perhaps be better to postpone it to give them an opportunity to make inquiry into the case, which was a very deserving one, and had been very fully investigated by the Public Petitions Committee.

Mr. BARFF said there had been plenty of time for honorable members to make themselves

acquainted with the facts of the case, for, at the commencement of the session, a printed copy of the petition of Thomas Joyce, of Greymouth, with his signature, was placed in the pigeon-hole of each honorable member; and from what he knew of the case, he could only say that the injury done to Mr. Joyce was the grossest piece of injustice he had ever heard of. He knew nothing of the case before he came here, but he was firmly of opinion that the wrong done ought to be righted as speedily as possible. He did not wish to take up the time of the House by repeating the statements contained in the petition. He would only say that it contained matter which he hoped had been read by every member of the House. He would not say anything of the action of the Government officer concerned, because any honorable member who remarked on the conduct of Government officers was immediately told that they were the most efficient officers in the world; but any person who read the petition and the evidence, and came to the conclusion that great injustice had not been done to Mr. Joyce, could know nothing of the meaning of the English language.

Amendment negatived.

SUPPLY.

The House went in Committee of Supply.

CLASS I.—PUBLIC DEPARTMENTS.

Legislative, £31,005 2s.

Mr. MONTGOMERY.—I do not offer any excuse for rising to address the Committee; and I will ask the attention of the House for a very little time. I will endeavour to be as brief as possible in my remarks. It is now four months since Parliament met, and three months since the Financial Statement was made, but we have had no discussion upon the finances of the colony. The tables usually appended to the Financial Statement were not so appended when the statement was delivered, and members could not understand the accounts until they had the tables before them. I wish to offer this observation: The accounts of the colony, or rather the abstract of accounts, presented to the House, are in such a form and so complicated that they are very difficult to understand, even by those who are well up in figures. I have endeavoured to arrive at a knowledge of the accounts. I will put my opinions before the Committee, and the Committee will take them for what they are worth; and I will endeavour by figures—not too many, but some—to show why I have arrived at the conclusions which I will state as I proceed. In the statement made last night the Colonial Treasurer said there was an available balance of £50,000 with which to commence this year. I take exception to that, because I think I shall be able to show, and no doubt many honorable members have arrived at the same conclusion, that, so far from there being an available balance, there is a very large deficit. In order to do that, I will turn to page 9 of the accounts furnished. The actual receipts and expenditure for the year ending 30th June, not including assets and liabilities, are there given. The ordinary re-

venue was £1,701,843 14s. 1d., which was very much less than the Treasurer last session estimated it would be. There was a falling off of £99,019 6s. 8d. in the Customs, and £10,590 in the Stamps. There were some small increases on some items; but there was a falling off to the extent of £13,467 in the estimated profit on Railways. In the item of Recoveries for interest on account of railways constructed, the amount obtained from the provinces was £48,000 less than estimated. Altogether, these are very serious deficiencies in the revenue; and, unless there be a corresponding reduction in the expenditure, it must be evident to honorable members that the balance which the honorable member anticipated will not show up at the end of the year. There is in the item of Incidental Receipts £51,000, which is not so much as the amount estimated by £15,677, and yet included in that sum is an amount of £27,500, interest paid by the Bank of New Zealand upon the proceeds of loan deposited with that Bank in London. I would say here that it was impossible to discover from the abstract of accounts that that money had been paid by the Bank of New Zealand, or that the incidental receipts were in part made up by that money. The honorable member for Auckland City East obtained that information from the Treasurer. The fact is now patent to us, but it was not known before. I have prepared a statement, and have put down recoveries and interest upon constructed railways. I may say that there is seven thousand pounds odd of that interest which is yet to be recovered, and which I will put as an asset when I come to the question of assets. The ordinary revenue, or rather the revenue taken altogether, not including receipts from redemption of debentures nor advances from Public Works Account, against which there are exact contras, nor amounts from issue of Treasury Bills, as shown by that statement in page 8, received into the Treasury, amounts to £1,806,450 19s. 2d., and is made up of these items:—

	£	s.	d.
Ordinary Revenue	1,701,843	14	1
Receipts in reduction of expenditure	54,153	2	2
Recoveries for Interest on Constructed Railways	49,454	8	0
	£1,806,450	19	3

The expenditure, honorable gentlemen will see, amounted to £1,930,886 7s. 1d., and consisted of these items,—

	£	s.	d.
Civil List	27,391	15	0
Charges of Colonial Debt ...	590,831	6	2
Under Permanent Acts ...	56,838	5	3
Appropriation Acts (Classes 1 to 12 inclusive)	743,885	9	5
Railway Stores and Workshops	43,981	15	2
Refunds of Revenue	3,602	10	8
Unauthorized Expenditure ...	17,332	4	2
Carried forward	£1,483,863	5	10

	£	s.	d.
Brought forward	1,483,863	5	10
Moiety of Stamp Duty	57,207	9	0
Payments to Provinces (Capitation and Special Allowance)	272,861	19	9
Advances from Land Fund, Auckland	201	4	5
Advances under "Provincial Public Works Advances Act, 1874"	36,200	0	0
Advances under "Provincial Appropriation Extension Act, 1875"	80,552	8	1
	£1,930,886	7	1

The Treasurer estimated last year that he would have to pay, before the 30th June, £742,807, and there was actually only paid, for reasons partly stated by Sir Julius Vogel, £590,000. I shall call attention to this again; meantime the figures show the total amount of expenditure of cash paid was £1,930,886, and the revenue was only £1,806,450, leaving a deficit between the receipts and expenditure, without including Treasury bills, of £124,435. I have endeavoured to ascertain what the liabilities and assets were for the year; I do not speak of the liabilities and assets of the previous year, but for the year ending 30th June last. By the accounts presented to this House by the Colonial Treasurer on the 15th August last, the liabilities were stated to be £59,614 12s. 10d.; there was also due to provinces under "Payment to Provinces Act, 1872," a sum of £3,963 0s. 3d. The honorable gentleman now makes the total amount £90,410 12s. 2d. The assets due from the Imperial Government on account of postage were stated to be £12,500. The interest from provinces on account of railways of the provinces was £7,681 14s. 3d., leaving a balance of £43,395 18s. 10d., of outstanding liabilities in excess of assets. Now I wish to call the attention of the Committee to a very important item—that is, the interest and sinking fund on the debt due by the colony. Some of these amounts were due upon the 1st of July, and some upon the 15th. The Treasurer, in making his statement last year, made provision for the payment of the amounts which would then become due. The amount due on the 1st July was £9,369, and the amount due on the 15th July was £123,384, making altogether £132,753, which the Treasurer estimated to pay last year, but which he did not pay. The reason that money was not paid was that the Public Revenues Act was passed last year, after the honorable gentleman made his statement. I would direct attention to the 8th section of that Act, which states,—

"For payment of the charges of the Public Debt, the order on the Bank shall be in the form in the Third Schedule hereto annexed, and the amount named therein shall be paid over to the agent or agents duly appointed to pay such charges, who shall be named in such order. All such charges shall be finally charged upon the Consolidated Fund upon the day upon which the same become due, and the order for the issue to meet the same shall bear the same date accordingly."

The next section I consider to be of very great importance—

"For payment of all other claims upon the Government of New Zealand in the United Kingdom, the order on the Bank shall be in the form in the fourth schedule hereto annexed, and the Bank shall transfer the amount named therein from the New Zealand Public Account to a separate branch of the same, called the 'Foreign Imprest Account,' and all sums so transferred shall be deemed to be imprested to the Agent-General."

So I take it that, in order to have these amounts in the Bank in London to meet the payments, if there were no proceeds of the loan there, they would require an imprest account, and therefore that amount would be charged to the Consolidated Revenue for the year just past. I am aware or I suppose that there might be an arrangement made by which the Agent-General could draw upon the colony here for the amount; but of course the colony would have to pay for that. What I wish to point out is, that by avoiding the payment of that money, the available balance is apparently £132,753 more than it should be. I think that is very important. There is another matter which is also of importance. The interest on the four million is, I understand, payable half-yearly, on the 1st February and the 1st August. The amount payable on the 1st of August last was £90,000, and the amount of accrued interest upon the 30th June would be £75,000; and yet provision is to be made in London for the payment of the interest when it becomes due. That amount should be provided by remittance from this some two months before the payment is actually required, but it is a fact that last year we only paid something like three-quarters interest on the public debt. Although that cannot occur this year, it must not be forgotten that there will be still that outstanding amount for which provision must be made either by the Agent drawing upon the colony, or by the colony finding the money here some two months before it is actually necessary to make the payment in London. To summarize, as I have shown, the expenditure in excess of revenue amounted to £125,435. The liabilities in excess of outstanding assets during that year would be £43,000. The liabilities on account of accrued interest and sinking fund are £207,000, altogether £376,584. If we deduct the £75,000 due on the 1st August, there will be a sum of about £300,000 of a deficiency in the amount estimated by the Treasurer. I know that this is made up. I know that the honorable gentlemen have issued £172,000 worth of Treasury bills; I know that they have not paid the interest and sinking fund which they estimated they would have to pay, and therefore there is £60,000 as a bank balance. I wish to draw the attention of the Committee to this fact, which the Treasurer himself will not deny: We are told that we have an available balance of £60,000, but that available balance is made up of promissory notes or Treasury bills, which have been renewed for another five years. There is a sum of £132,000 interest and sinking fund, which is not paid, and which the Treasurer last year

said he would provide for. Now, Sir, the honorable gentleman states that he does not propose to abandon the claims upon the provinces for the amounts which have been advanced. There was a sum of £48,000 advanced to Auckland; £32,000 advanced to Westland under the Provincial Appropriations Extension Act. There was a sum of £36,000 advanced under the Public Works Advances Act; and I think the honorable gentleman must see that it is perfectly hopeless to expect ever to get these moneys back again. I must say that, however they may look on the accounts, the fact is we shall never get these amounts back again.

Major ATKINSON.—We have taken them out of the accounts.

Mr. MONTGOMERY.—I understand that. I am taking the tables published with the Financial Statement.

Major ATKINSON.—They are taken out of the accounts.

Mr. MONTGOMERY.—I understand the honorable gentleman to take them out; but he states that he does not propose to abandon them. He has not taken the £172,000 of Treasury bills out of the account. That is a liability which must be met some time, or must be added to the permanent debt. I think the honorable gentleman must see that. If, then, there is an available balance, it is made up out of proceeds of Treasury bills.

Major ATKINSON.—No.

Mr. MONTGOMERY.—The honorable gentleman will be able to show that when he replies; but I put it as it appears in the accounts, and I have looked into them with some little care. It seems to me, whether rightly or wrongly—and I shall be glad if the honorable gentleman can show that I am wrong—that, so far from our having a balance in our favour from last year, if the interest and sinking fund were paid up to the 15th June we shall be £300,000 to the bad. The late Treasurer puts down the amount of assets available from the previous year at £63,000; but, as far as I can make out, the amount of assets from the previous year is only £52,000, made up in this way: Amount from railways open for traffic, £9,000; Railway Stores Account, £20,000—this was taken as an asset in previous year's statement; Imperial Government, on account of postage, £11,000; recoverable from Auckland under the Provincial Works Advances Act, £12,000. To that extent, these amounts, which the honorable gentleman put down as assets for the year 1874-75, have been received; but I do not see that the portion of the assets which he expected to begin the year with, and which was stated last year as £50,000 recoverable from the provinces in respect of the Provincial Works Advances Act, can be recovered. I understand he puts that down as a bad debt, or not likely to be recovered for some time at all events. The recoveries from previous years are, therefore, at the outside, £50,000 or £60,000. Having disposed of that matter, not in the manner I should like to dispose of it; but as I see it, I wish now to consider what the proposals of the honorable gentleman are for the present year. He

estimates the Customs revenue at £1,240,000, or £14,234 in excess of what was obtained last year. But he was warned last year by many honorable members, myself amongst others, that the Customs revenue had reached its utmost limit. He thought, no doubt, he was making a very modest estimate when he put this year's revenue down at so much in excess of last year; but he was warned last year that the revenue had reached its limit, and he was told why. He was told that from 1866 to 1871 the population of the colony had increased by about 60,000 people, and that, notwithstanding that increase, the Customs revenue had fallen off by upwards of £100,000. It was stated that in 1866 there were 197,360 Europeans in the colony, and the Customs revenue was £343,230; that in 1871 there were 260,900 Europeans in the colony, and that the Customs revenue was £730,833. So that there was a falling-off of more than £100,000 in the revenue, notwithstanding the immense increase in population of between 60,000 and 70,000. It was also pointed out that an increase in population did not necessarily cause an increase in revenue; but that it was due to the increased purchasing power of the people, which enabled them to buy dutiable goods. The honorable gentleman stated last night that he had made a reduction upon his predecessor's estimate of the Customs revenue on account of the fall in the price of wool; but he nevertheless estimates an increase of £14,000 upon last year's revenue. Allow me to draw attention to the remarks of an able business man and a thorough financier in a neighbouring colony. They bear exactly upon this point, and I do not think I shall be taking up the time of the Committee unnecessarily if I fortify my opinion by that of a gentleman of much larger experience, and one who is as thoroughly able to form a sound opinion as any man in these colonies. I allude to Sir James McCulloch. He stated in his Budget speech, delivered in the Parliament of Victoria on the 25th of July last,—

"We expect to receive, through the Customs, £1,639,050, or £18,700 less than was obtained from that source last year. It may be asked, What reason is there for thinking that there will not be received through the Customs this year as much as was received last year, if not more? My answer is, that I think the present aspect of affairs in the colony is not as prosperous as was the aspect of affairs last year. Taking the interests of the colony as a whole, and considering the weather and the present state of the wool market, you cannot avoid the conclusion that the trade of the country may be seriously affected during the current year. There is no doubt whatever that the reduction in the value of wool will affect the amount of money to be received into the colony during the current year to the extent of a million or a million and a quarter. That is a very serious amount for a colony of between 800,000 and 900,000 people, because the diminution affects all classes. It may be said that principally it touches the squatting interest—those engaged in pastoral pursuits in this colony and in the neighbouring colony. But the

bulk of it is represented by people resident here, who spend their money here, and who will not spend as freely as they would have done under a more prosperous state of circumstances."

The Treasurer in Victoria made a reduction in his estimate of revenue, and stated that a fall of £1,000,000 in the price of wool must seriously affect the spending power of 800,000 people. But how will the fall of £1,000,000, or thereabouts, in the value of wool in New Zealand, affect the spending power of less than half that number of people? And yet the Treasurer estimates an increase on last year's revenue, instead of a decrease as Sir James McCulloch did. My belief—and I regret very much that I have arrived at the conclusion—is that, so far from our Customs revenue being so great as last year, it will be very considerably less. I think the honorable gentleman's estimate will in all probability exceed the actual revenue by £40,000. Whatever it may be, it is of course a matter of opinion now, as the honorable gentleman says; but he was wrong in his opinion last year to the extent of nearly £100,000, therefore the opinion of those who differ from him is as likely to be correct as his own. The estimate formed for the six months of the present year of profit upon railways constructed is £84,000. Last year he estimated the difference between the amount to be received and the amount to be expended at £20,000; but he was upwards of £13,000 in error in that estimate. I am aware that in this case also the estimate for the current year is only a matter of opinion: but as the honorable gentleman was wrong last year, I fear he is not more likely to be right this year. If you take £20,000 from that amount as well as the amount to be taken from the Customs revenue, I do not think it will be under-estimating the amount of revenue for the present year to say that it will be £60,000 less than the honorable gentleman estimates. I hope it may be shown that I am wrong, but I fear it is very probable that such will be the case. I had made out an estimate of the probable deficit which would arise from the necessity to find money to pay interest and sinking fund upon the debts of some of the provinces; but the honorable gentleman has, in a form which I think will rather astonish the country, made out figures on this point which I must take as correct, seeing that they stand out so distinctly that there can be no doubt about them. During the six months from the end of December to the end of June, there will be £146,595 to the debit of the provinces. To meet this debit balance, he proposes to issue Treasury bills. There are three credit balances—Taranaki, £18,000; Canterbury, £75,000; and Otago, £1,240. A portion of that Canterbury balance is made up of £40,000 to be received on the 1st May for pasturage rents, which are payable yearly, so that it is in excess if considered as a half-yearly estimate. So that, if we deduct the credit balance from the debit balance, there will actually be £57,113 18s. 7d., for which the Treasurer will have to issue Treasury bills after he absorbs the whole of the Land Fund from all the provinces. Without absorbing that Land Fund, he must issue for the half-year Treasury bills to the

amount of £146,000; and I think we may fear that for the whole year there will be something like £300,000 to debit. I am aware that a portion of the £172,000 of Treasury bills has gone to pay a portion of the current expenses for the provinces to the 31st December; but, that being the amount for the half-year, I think it is not an over-estimate to say that at the end of the year they will be £250,000 in debt to the General Government. Now, Sir, the honorable gentleman intends to issue Treasury bills to the extent of £50,000 to meet the expenditure. Well, I have shown that, so far from there being a real surplus to go on with, it was made up of proceeds from Treasury bills.

Major ATKINSON.—No such thing.

Mr. MONTGOMERY.—The interest and sinking fund which should have been paid on the 15th June was not charged to last year; and the conclusion we must all come to is, that, if there be no Treasury bills, it will be impossible for the current revenue to meet the current expenses. That is not a happy state of things. There were £400,000 of Treasury bills outstanding two years ago. We have to add £172,000 for last year, and we propose to add £150,000 this year. We propose to borrow £250,000 to pay off provincial liabilities on account of works contracted for; and I will ask honorable members if that is a pleasant position to be landed in? I am aware that honorable members will say that we have a large railway property, that by-and-by it will be more productive than it is at present, and that there need be no fear for the future. I also think there need be no fear of our surviving our present difficulties and the perils looming in the future, if we look them fairly in the face; but if we go on increasing our debt by issuing Treasury bills to meet current expenditure, there will be great fear. Last year it was pointed out by the honorable member for Wairarapa, in reply to a statement I made about the indebtedness of this colony compared to that of Great Britain, that we had not taken into account the railways of Great Britain. Those railways, in round numbers, come to about £550,000,000, and if we put that down at 5 per cent., and add it to amount of interest on the National Debt, it would come to upwards of £50,000,000 a year; but if England had to pay that to a foreign creditor, I would like to know what would her position be? Now, we owe a debt of nearly £20,000,000 to the foreign creditor, and the interest payable annually on that amount goes out of the country; and it is estimated—other honorable members will show what the exact figures are—that the private indebtedness of this colony amounts to something like £10,000,000, interest upon which has also to be sent Home every year to the shareholders of the banks, private companies, and individuals who send money out to the colony for investment. That amounts to nearly £2,000,000, which has to be sent Home from the colony annually. The private indebtedness is an important item when we are considering the whole debt of the colony; and I ask the House and the country to con-

sider whether, with such a large public and private debt hanging over our heads, it is not time that we should set our house in order, and prepare for the future—that we should cease to think that the miserable expedient of issuing Treasury bills is a safe or wise mode of meeting a great difficulty. Sir, when we look at foreign countries we may gather some idea of what may be in store for us. And here I wish to point out, before I go further, that we have no store, no accumulated savings of money amongst the great mass of the people. If any of us purchase 1,000 acres of land, we go to a bank or some other place to borrow money to fence and stock it. There is scarcely one of us who works within his means. I do not mean to say that borrowing is objectionable, provided we go to work wisely; but do not let us forget that the interest which we have to pay upon our colonial debt is paid to a foreign country. The war expenses of France, when she was invaded by Germany, including war indemnity, amounted to something like £370,000,000 in three years. Upon the conclusion of peace France was called upon to pay £200,000,000 war indemnity, and it was provided by loan, largely subscribed for by the French themselves, and the money paid from the savings and thrift of the people. If she had had to go into the money markets of foreign countries she would have found it impossible to get that money. Now let us take other countries that have exhausted their savings. Take the case of Spain: what are her bonds worth at the present moment? Then again, look at Egypt, which was at one time, and is now, a great grain-exporting country. What is the condition of her finances? They were in such a hopeless state of confusion that it was necessary to send a gentleman from England to examine into their condition. Take Turkey. She is in a state of bankruptcy, and from what course does this result proceed? From the fact that the people themselves are not in a position to assist the Government. That is the point to which I wish chiefly to direct attention. To a large extent we are in the hands of the foreign creditor, and we must decrease our expenses and increase our exports to keep ourselves in a safe condition. Having said this much, I merely wish now, Sir, to add that, if we apply ourselves resolutely to the very difficult task which we have before us, all will yet be well. Last year this difficulty was like a cloud upon the horizon—a cloud not bigger than a man's hand; but this year it has spread to the zenith, and if we are not careful, we shall be overwhelmed by the storm. I ask honorable members now to consider the position of the country, and to ask themselves whether the time has not come for making, not a cheese-paring, but a large reduction in the expenses of the country. I ask them not to put it off to another year, when we may find our Customs revenue, and, indeed, the whole of our receipts very much decreased, and the financial difficulty not apparent, but actually come upon us. It will be too late then to consider what we should do. I pointed out last year that the time would come, and come soon, when we should be

compelled to put a tax on property. I know such a tax is unpopular. The late Colonial Treasurer (Sir Julius Vogel) said it was unpopular, and therefore inexpedient; but as sure as I stand here at this moment it will have to come. The honorable member for Olive took that view last year, and asked the Government whether they would, during the recess, devise a scheme of that sort; and this Government, or whatever Government comes after them, will have to do it. It is wise, now that we cannot make the two ends meet, to consider how they can be made to meet. I know that my views will be regarded as gloomy. I have been told that we are about to borrow, and that it is not wise, under these circumstances, to bring discredit upon the finances of the country; but I believe the best friends of the country are those who fearlessly speak the truth; and it is because I believe that it will require all the patience, all the energy, all the prudence, and all the hopefulness of our people to meet the difficulty that is coming upon us that I have felt it to be my duty to speak freely. I do not speak with any desire to make the financial position appear worse than it is. My character, I think, will protect me from the charge of knowingly saying anything that would damage the credit of the colony. I also have some little stake in the country, and I intend to live in it for the rest of my days. Sir, I wish to avert the calamity which may overtake us if we do not exercise ordinary prudence; and I hope and trust that the Committee will believe that I am actuated by these feelings, and not by any desire to make the finance of the honorable gentleman look worse than it really is. I commend to this Committee very great prudence and very great care in dealing with the estimates. I know well that honorable members cannot make reductions in this or that salary; but I am sure that the time has come now when we should say to Ministers, "So much we can afford to give you; we give you a lump sum for each department, and you must make that do." I think the time has come for that. I would not move a resolution in that direction because it might lead to a complication; but if Mr. Speaker had been in the chair I would have moved to this effect: "That it be an instruction to the Committee that the financial condition of the country imperatively demands that extensive reductions should be made in nearly all the departments of the public service." Sir, I have done, and I am sorry I could not take a more satisfactory view, a more hopeful view, of the finances of the country. I have given, I fear very imperfectly, what I believe to be the position of the finances of the country, and I trust that honorable members will consider this a far more serious question than any that has yet come before us.

Sir G. GREY.—I move, That you report progress, Sir, and ask leave to sit again. We are entitled to a reply to the speech which has just been delivered.

Major ATKINSON.—I certainly object to reporting progress. I have put my views before the country, and nothing the honorable member for Akaroa has said has shaken a single statement

I made. In due course, I will refer to the honorable member's remarks, but a Minister cannot be expected to get up to answer every honorable member who makes a speech. The honorable gentleman has not touched one of my figures or one of my facts; and I will undertake to prove that to the Committee at the proper time.

Mr. STOUT.—I think the Premier is right. He cannot be expected to answer every speech that is made. But is the honorable gentleman's party organisation in such a state that he has no one to put up to reply to the honorable member for Akaroa? There appears to be no one to speak upon finance except the Premier, and one would think there was no one competent on that side of the House to do so. I may say it was the same last year. I have noticed, that when a debate on finance comes on, three-fourths of the members of the House retire, as if they do not care a fig about the finances of the country. Some honorable members, to whom we have a right to look for some criticism upon finance, are content to say "Hear, hear," to the Premier, and never bother their heads with taking part in any debate that comes on. To decide whether the honorable member for Akaroa has touched the figures of the Premier or not would require some little study; but I think he has made this point, which all members who have taken the trouble to go over the accounts must be cognizant of—that is, that the colony has been, as stated by the honorable member for Dunedin City, Mr. Macandrew, lately, expending more money than its ordinary revenue. Of course, that difficulty is met out of loans and Treasury bills.

Major ATKINSON.—I stated so.

Mr. STOUT.—No doubt the Premier admitted it, but he did not go far enough. I think he ought to have proposed a remedy. There are two remedies that might be applied. The first is that the Government should dispense with a large amount of the additional services they are creating. The tendency has been to create new departments, such as the Forest Department, the Weather Department, and all kinds of departments; and this increase is still going on. We are going to have an Inspector of Prisons' Department; and we should have had other expenditure in reference to a central prison if the House had not stopped it. Then there will be a Lunatic Asylums Department, and others. If Parliament insists on new departments being created, honorable members cannot expect but that they will have to be paid for. One or both of the remedies must be adopted. The first is that all these extra departments must be swept away, and the functions of the Government limited; and the other remedy is, that all the higher salaries should be reduced. That should be done, considering the position the colony has got into. Of course it is well known that in mercantile and other circles salaries rise and fall according to the prosperity of the country; and the remedy I now see is, that all salaries over £200 or £250 a year should be proportionately reduced upon a sliding scale. But that must be done by the Government. It is hopeless to move a motion to that effect, for it would be made a vote of want of confidence by

the Government. The only hope of any retrenchment rests with the Government coming down determined to make some stand such as I have indicated. It is utterly useless to discuss finance here; and we might keep up a debate for two or three weeks on it, but what would it amount to? It would amount to this: If any one tabled a motion with reference to expenditure, the Government would say, "Oh, abolition is threatened," and their supporters would rush into the lobbies to support them. All the Opposition can do is to point out the state the colony had got into, and point out two remedies—the two I have mentioned. The figures of the honorable member for Akaroa may be incorrect, in one or two respects; but the difference is only as to the method of taking the accounts. The only objection that can be made to this statement, with reference to Treasury bills and in relation to the debit balances against the provinces, is a mere matter of account. These balances are treated by the Colonial Treasurer as an asset, not an available asset at present. He charges them against the provinces; but the late Treasurer was going to raise a loan of three-quarters of a million in order to repay to the colony these advances to the provinces, and he intended, I presume, to charge interest to the provinces. The Premier now proposed to do this: to take these items and make them a charge against the provinces, and not to raise a loan to pay them off. I presume the charge against the provinces will amount to this: When the necessities of the colony required it, the Government would seize upon the Land Fund to repay those advances, when there was any Land Fund to seize upon. There have been advances to Otago under "The Provincial Public Works Advances Act, 1875;" and if the Land Fund of that province should be more than sufficient to pay the subsidies for counties and Road Boards, I have no doubt that the Treasury would say, "Here is an advance made to Otago. You must repay this out of the Land Fund." That is what is meant. Those provinces in which there is a possibility of having a surplus Land Fund would have their Land Fund taken; and those in which there was no possibility of a surplus Land Fund would have the advances standing in the Treasury books against them, and nothing more would be done. Everybody sees that is the position in which the matter would be left. I do not intend to take up the time of the Committee with any lengthy statement of finance, because it seems utterly useless to do so. It seems to me that the proposed charge upon Land Fund, and the estimated receipts, as now submitted to the House, show at once that the tabulated statements submitted by the Treasurer last year as to the effect abolition would have upon the provinces are utterly fallacious. Not one of them is at all reliable. For instance, Otago was to have, over and above its subsidies, something like £150,000 a year for public works.

Major ATKINSON.—No.

Mr. STOUT.—My memory may be inaccurate to a very slight extent. But, according to the tables published by the Treasurer, showing the financial results of the new scheme—

Major ATKINSON.—Based upon the provincial estimates of the Land Fund.

Mr. STOUT.—Was the honorable gentleman not told by the honorable member for Akaroa, by the honorable member for Taieri, and by myself, that his estimate of Land Fund was utterly fallacious?

Major ATKINSON.—It was taken from their own estimates.

Mr. STOUT.—I shall take Otago, for instance. The amount which it was said would be available for public works in the country districts was set down as £154,891. That amount was to be available for public works in the country districts of Otago. What do we see now? The statement submitted by the Treasurer shows that there will be left for six months a balance of £1,244, or about £2,500 for the year, out of the £154,891 that was to be available for public works in the country. This is a sample of the manner in which the electorates of this colony have been deluded by the finance of the Ministry. I do not quote all the provinces, but take the Province of Otago as an example, because I have near me the statistics bearing on the public works in that province. I find that the works to be constructed in country districts are to amount to £154,891. I find that that is all the province could expect, as stated by the Treasurer; and he said at the same time that there would be a gain to the province of something like £50,000 or £60,000 under this scheme compared with the past arrangement. I now hold in my hand the report of the Provincial Engineer; and I find that the total expended on roads, bridges, harbours, and waterworks amounts to £159,587, or something like £5,000 more than what the Treasurer said was to be expended under Abolition, not including also the large sum of money—I believe more than half this amount—expended on branch railways throughout different parts of the province. I will take another example—that of the Province of Auckland; and I find that under the proposed scheme, as stated by the Treasurer last year, he makes Auckland to be a gainer by £90,000. Not only so, but all that was to be issued to meet this extra £90,000 that Auckland was to get was £36,000 of Treasury bills. Well, under the present scheme Auckland has not got any £90,000, and the Treasury bills required to meet Auckland's liability will amount to £60,338. Take, again, the Province of Westland. Under the present scheme in Westland, there was to be expended on public works £34,433. Why, according to the statement of the Government now, Westland, instead of having anything to expend, would actually be in debt to the amount of £14,925. And so all through. One has only to take up the statement of last year, and read the one this year, and it is impossible almost to believe that they were made by the same honorable gentleman—they are so irreconcilable and diverse. I need not go into the Provincial Abolition Financial Arrangements Bill. It is well known to the House, if it is not known to the country, that all the promises made in connection with the Abolition Bill last session are to be broken; that all the pledges made about what

was to be cast upon the Consolidated Revenue are to be treated as if they had never been made, and are not intended to be kept. Of course that is merely what the Abolitionists are to expect under this *régime*. I would now draw the Treasurer's attention to the position affecting these colonial grants. First, he says that, after all the paring down of the provincial public works, there will be required, to carry on the works to June next, a sum of £350,000 from loan. It must be observed that the fixing of that £350,000 assumes that the whole of the guaranteed debentures of £800,000 have been utilized to the fullest extent. Of course, the Treasurer says he does not intend to sell them; he intends to draw upon them—in fact, to mortgage or pawn them. But it will be seen, with reference to this £800,000, that it is hardly fair to say that they are only going to borrow £350,000. The real amount of borrowing—that is, the debentures that will require to be either sold or pledged—will be the £800,000 of the Imperial Guaranteed Debentures, and this new loan of £350,000. Then there will also be an amount—I think it is put down in the statement as something like £400,000—to carry on the works after June, and before authority can be got from this Assembly to raise a new loan. Now, with this statement before us, I would ask the Committee to consider what is proposed to be done. I am afraid, if we are to judge of the estimates made last year and the results, we shall find that the estimates made last year were utterly unreliable in many respects, and that is so even with the estimates made this year by the late Treasurer. He himself estimated the Customs revenue to amount to a certain sum, and it was stated in the Committee last night by the Commissioner of Customs that the receipts for the quarter had been something like £10,000 less than what was estimated.

An Hon. MEMBER.—£5,000.

Mr. STOUT.—At any rate it was not up to the estimate. If you take the average for the year, and divide the estimated Customs revenue by four, the amount received for the past quarter will not equal the estimate of the late Treasurer. I presume that cannot be denied. Very well, we have still this estimated surplus of £58,000, based upon the estimate of revenue—really about the same estimate of revenue, because there has only been £20,000 taken off at the rate of £5,000 a quarter; and I think even that will be found to be too little to take off. There is the estimated surplus of £58,000; and of that estimated surplus there is a sum of £10,000 to be taken from the State Forests Account. I presume it is known to the members of this House that the Bill proposing to repeal the State Forests Act has been thrown out in another place, and the £10,000 therefore will not be available.

Major ATKINSON.—Yes, it is.

Mr. STOUT.—I do not see how the Treasurer can alter it except by Bill. The State Forests Act says there is to be a certain amount paid to a certain account. Of course the honorable gentleman may take the £10,000 out of the State Forests Account, and give that account Treasury bills for it. That is the only way he can manage

it. The Government said the only objection that they had to the repeal of the State Forests Act was that some of the clauses should be retained, they being willing that the money clauses should be repealed. Yet we find the Colonial Secretary in another place voting against the repeal of the Act, and the £10,000 is here actually taken credit for. That is a most peculiar system of management. Is it a fact that there is one policy in this Chamber and another policy in the other Chamber, in dealing with matters of finance? I cannot conceive how the Colonial Secretary can take an opportunity of speaking against the repeal of an Act and voting against such repeal, while the Colonial Treasurer in this House is taking credit for £10,000 on the strength of the Act being repealed. That is £10,000 of the surplus gone, because there must be another Act; and I may presume the Legislative Council, having thrown out one Act with the aid of the Colonial Secretary, will not allow another Act to be passed. Then what have we stated now? We have not only £10,000 of the surplus gone, but we have got the supplementary estimates; and does any person mean to say that if there are any supplementary estimates they will not amount to £48,000? And this is even with all the paring down of the estimates that the Government have been able to do during all the time they have had to consider them. When we have to go into the money market, and when, besides, the Treasurer has to admit all through his statement that the Colonial Government has been expending more money than it can properly expend, in the midst of all this we have a promise made to-day by the Minister for Public Works that they are going to spend more money on the Waimea Water-race. I understand that that water-race has cost something like £50,000 or £60,000, and I believe before it is finished it will cost about £120,000—at least double the estimated cost. Before they can utilize the Waimea Water-race, it will cost something like £20,000 or £30,000 more. And we are going into all this expenditure for what? Why, it is in order to give substantial endowments to the counties; and it is in order to aid in what? In abolition. That is the only object that can be entertained by the Ministry in re-organizing the finances of the country. Now, one has only to look at the conduct of the Government during this session to see that they appear utterly unable to cope with the finances of the country. They bring down one Abolition Financial Arrangements Bill that is to make certain proposals. As soon as that Bill comes down, apparently the Ministry, or some of their supporters, get frightened at the effect of the policy, and another Abolition Financial Arrangements Bill is brought down. No doubt it may be so amended in Committee that the Government themselves will say that the pressure has been too great for them, as they have said since 1870. I have already stated what seems to me the only radical cure for this; and I say again, that there is no hope of a cure coming from mere resolutions of private members, or even from any statement coming from the Opposition. I do

not intend to go into the other Financial Statement; but may be permitted only to remark, in reference to it, that I think credit must be given to the present Colonial Treasurer for the clearness, and, I think, fairness, in which he puts all his Financial Statements. But I can only say there seems to me to be no hope whatever of a good finance for this colony until a Ministry resolves to lay down a hard and fast line against this perpetual keeping of debit balances and Treasury bills. If there are to be loans raised for the colony, let them be raised for special works. If there are departments of the Government to be carried on, they all ought to be brought into the Consolidated Revenue Account. It was a most mischievous system to keep a lot of debit balances, credit balances, and Treasury bills—transferring from one account to another. I suppose, in regard to the State Forests Account, instead of having a real sum there will be a Treasury bill, and opposite the account there will be the entry, "Treasury bill, Dr. £10,000." Then that £10,000 is taken into the general finance. This system cannot go on for ever. What is the result of that plan? I undertake to say that next year there will have to be another £150,000 of Treasury bills at the lowest; and where is this going to end? It will go on until there must be a loan to extend the term of the Treasury bills—that is, a loan proposed to take up the Treasury bills. That is what it amounts to; and, if this system goes on, I believe in three or four years we shall need a loan of at least £1,000,000 to take up the Treasury bills outstanding, or else we shall have not only to part with the subsidies, but to make the Land Fund common property. That is the only remedy for it. I admit at once that to suddenly uproot any system, however vicious it may be, is not wise; but the Government ought to lay down a hard and fast line and say, "We will now begin to live within our income, and we will not give way to this system of short bills." If they had done that, and also come down to this House with the statement that they regarded the keeping of a good financial system for the colony as even of more moment than creating counties for the colony; and if they had said to their party, "We not only propose this reduction, but we also propose reducing those departments in every way possible; curtailing Government interference, and leaving it to the people to manage their own affairs, without so much Government supervision"—if they had done that, there might have been some hope of creating a good finance for the colony. But under the present system it is all very well for the Treasurer to speak about his hope of this being done and that being done: the Ministry must do it, and they must also be men pledged to do this. They ought to say to this House, "Except we can have this financial improvement or financial reform carried out, we shall leave it to other people to go in and carry out any scheme they please." So long as it is necessary for the existence of the Government that there shall be promised votes here and there as simply methods of indirect bribes, so long will good finance for New Zealand

be impossible. I say, if the Ministry had not attempted to do so many things in one session they would have got on much better. If they had brought down, as I have said a dozen times during the session, ten or twenty Bills—and that was all the legislation that was necessary for this colony for a year—if they had brought down Bills dealing with the constitutional question from their own point of view and had brought down real reform in finance, they would have been entitled to credit on all sides of the House, and also entitled to credit from the country. But what have they done? They have frittered away the time of the Parliament in discussing useless Bills that could have stood over for ten years to come, as they were not at all required. They have left their constitutional measures over to the end of the session, and they have deferred the debate on finance until this late period of the session, and when the debate on finance comes on three-fourths of their supporters leave the House as if the financial position of the colony was a matter of no moment. It is absurd to tell us that this is the way to insure good government for this colony. I say there could be no petty Road Board, or what I may now term County Council, or any Provincial Council that would have allowed its finances to be managed as the colonial finance has been managed. Yet this Parliament assumes that it has all the virtue, all the good management, all the desire for economy, that exist in the colony; and that all those institutions that have managed their affairs so well in the past are to be swept away, and this Parliament is to do the work of the colony. One has only to take up even the estimates submitted last night to find that the higher salaries are, in some instances, being increased. I see that in Canterbury the salary of one officer is increased from £500 to £700, and it is proposed to increase the salary of an officer in Otago from £800, which it was last year, to £700. So you see that the salaries, instead of being reduced, are being increased. Yet the Government talk of financial pressure, of going to the money market, and of practising economy. I say what I have said before: that to discuss finance in this House would be of no value, because the House has been elected on a cry. The whole cry of the Ministry this session and that of their supporters has been that of Abolition. When any one attempted to get any matter discussed in this House the cry of Abolition has been raised, and calm and dispassionate criticism of any action of the Government has been prevented. And so it will be in relation to finance. I can only say that the Opposition must feel this: that to discuss finance or to talk about finance is really not much better than a waste of time. It rests with the Government and their supporters if the finances of the colony have been improperly carried on, and are likely to be so in the future.

Mr. G. McLEAN.—I am sure the Government must be thankful to the honorable gentleman for the lecture he has given them; but I doubt if they will profit by it. If his figures were reliable, the Government might have taken his statement

to heart, but seeing that he rather misrepresents matters, I shall endeavour to place a correct statement before the Committee so as to show what the actual results will be to the Province of Otago—the province I may be said to represent in the Government. The honorable gentleman has taken the Colonial Treasurer's tables of last year, which were prepared from the estimates of the Provincial Government, the correctness of which is tested by the fact of the revenue having fallen short of those estimates over £100,000, but he does not read the statement at the head of the tables which show they were made up from Provincial Estimates. We will take the estimates of the Provincial Government of Otago. The estimated receipts of that Province, as shown from these tables, amounted to £262,610; while the actual receipts, including all sums contributed by the General Government, amounted to only £252,124, showing a deficiency of £102,486. This goes a long way to explain the difference alluded to by the honorable gentleman, and it is attributable to the incorrect estimate by the provincial authorities of their income. Let me show the honorable gentleman what are the actual results of the year. The figures I am going to quote are taken from the actual revenue and expenditure, as shown in *Provincial Gazette* of 16th June last, and I challenge any honorable member to dispute their accuracy. It is certainly true that Otago does not lose a halfpenny by abolition. The honorable gentleman goes to meetings and says that Otago is robbed of large sums of money. It is very easy to make a statement of that kind, but my honorable colleague challenged the honorable member for Dunedin to put down his figures and he has never done so. I am going to give the exact figures so far as they relate to the Province of Otago, so that honorable members will have an opportunity of disputing their accuracy if they think proper to do so.

The proposals of the Government applied to the revenue and expenditure of Otago for the past year would work out thus:—

	£	s.	d.	£	s.	d.
Total revenue of year ended 31st March, 1876, as stated by Provincial Treasurer in <i>Provincial Gazette</i> of 16th June, 1876, page 348 ...	534,124	5	5			
Deduct from this the sums derived from adventitious sources the receipt of which is not affected by the principle of Abolition, viz.—						
North Otago Loan ...	5,840	0	0			
Otago Public Works Advances Act ...	29,791	13	4			
Released Sinking Fund ...	17,404	4	2			
Sales Government Buildings and Land ...	9,379	19	3			
Repayments ...	9,507	19	9			
I also deduct the sum of ...	14,293	18	6			
received from the General Government as subsidies to Road Boards; that sum having been paid over to the Road Boards as an instalment of the measure of Abolition—it would not have been paid under ordinary circumstances, and in order to reduce the provincial revenue to its proper terms, I deduct it from the account				86,397	15	0
				447,836	10	5

The balance left, £437,836 10s. 5d., represents the Provincial revenue proper, made up of the following items:—

	£	s.	d.
Capitation ...	2,161	12	9
Crown Lands ...	193,347	12	5
Gold Fields Revenue ...	37,696	0	6
Gold Duty ...	12,647	8	11
Harbour and Jetty Dues ...	1,406	8	11
Assessment on Stock ...	53,858	11	3
Dock Dues ...	2,261	12	8
Tolls on Roads ...	10,045	6	0
Dog and Goat Tax ...	1,877	9	6
Licenses ...	6,403	8	6
Education ...	5,786	10	9
Railways ...	104,807	1	9
Interest ...	507	8	11
Incidental Receipts ...	6,020	17	7
	437,836	10	5

I will now proceed to show how this revenue of £437,836 10s. 5d. is proposed to be dealt with under the Government proposals.

Capitation, £2,161 12s. 9d.: Payment of this sum would cease; and in the summary of Gain and Loss, to which I shall presently refer, this sum will be entered as a loss.

Road Board subsidies: Under the proposals of the Government the subsidies payable out of Consolidated Fund to Road Boards in the Province of Otago will amount to £19,830, and those to Municipalities to £15,214: in all, £35,044, which sum is entered in the summary as so much gain.

Crown Lands, £193,347 12s. 5d., will remain, as before, provincial revenue, but will be subject to certain charges, to which I shall refer in dealing with the expenditure side of the account.

Gold Fields Revenue, £37,696 0s. 6d., and Gold Duty, £12,647 8s. 11d., will be handed over to the counties and Road Boards.

Harbour and Jetty Dues, £1,406 8s. 11d., will be taken over by the colony. I accordingly set it down as a loss.

Assessments on Stock, £53,858 11s. 3d., will remain as heretofore in the Land Fund.

Dock Dues, £2,261 12s. 8d., will remain as at present.

Tolls on Roads, £10,045 6s., will be handed over to the counties.

Dog and Goat Tax, £1,877 9s. 6d., and Licenses, £6,403 8s. 6d., will be paid over to the boroughs and counties in which they are levied.

Education fees, rates, and rents, £5,786 10s. 9d., will be paid into the Land Fund, and devoted to educational purposes.

Railways, £104,807 1s. 9d.: The receipts from railways will be paid into the Consolidated Fund of the colony, and I have accordingly entered the amount in the Gain and Loss Statement as a loss.

Interest, £507 8s. 11d., will pass to the credit of the colony, and I set it down as a loss.

Incidental receipts, £6,020 17s. 7d.: This sum is made up of a variety of items, about one-half of which will be taken by the colony; the other half remain for expenditure in the province—say loss on this item, £3,010.

I have thus completed my examination of the Provincial Treasurer's statement of the revenue; and, so far, have shown, in respect to each item, the gain or loss which would have taken place had the proposals of the Government been in

operation during the provincial financial year last past.

I will now show to what extent the province is affected as regards expenditure.

First, then, the interest and sinking fund on the provincial permanent debt is in future to be charged upon the Land Fund, instead of being paid as heretofore out of the capitation allowance granted by the Colonial Government. As the capitation grant will cease under the Abolition proposals, I set down this item, amounting to say £80,000, as a loss of that amount. Then the province is to be charged with 2 per cent. on the sum already expended in the construction of railways, less the province's share of the Middle Island Railway Fund, say 2 per cent. on £1,744,800, equal to £34,886 per annum; this sum I also enter as a loss. On the other hand, by the existing system, the Land Fund of the province is liable by law to a payment of 6 per cent. interest on the sum expended upon railways open for traffic. The sum so expended in respect of railways opened prior to 30th June, 1876, is £1,067,372 17s. 2d., and the interest chargeable thereon £64,042 7s. 6d. I have treated the sum of £34,886, payable under the Abolition proposals, as a loss, and, as the above-mentioned sum of £64,042 7s. 6d. will no longer be charged, I set it down as a gain of that amount.

I now come to the gain accruing to the province from its being relieved of the cost of those services which will in future be maintained out of the Consolidated Revenue; and I have accordingly taken out from the Provincial Treasurer's statement for the past year the actual sums expended on those services. They are as follow (and in order to facilitate reference and verification, I quote, opposite to each, the page of the *Gazette* on which the several items appear):—

	£	s.	d.
Page 356. Police	24,938	16	11
" 356. Gaols	9,955	5	9
" 357. District Gaols	3,578	7	9
" 357. Inspection of Sheep	2,145	9	9
" 358 to 362. Railways	68,500	12	7
" 368. Harbours	4,641	19	6
" 364. Lunatic Asylums	5,954	15	10
" 366. Gold Fields Department... ..	7,806	3	3
" 366. Printing, Stationery, Advertising, Fuel, Light, and General Contingencies, say	2,000	0	0
" 372. Additions and repairs to Public Buildings, Court House, Police Buildings, Gaols, Lunatic Asylums, &c., say	3,000	0	0
	<u>£180,521</u>	<u>11</u>	<u>4</u>

There are, no doubt, other items of expenditure made last year by the province which will in future either be a saving, or will fall upon the colony, such as—

	£	s.	d.
Page 357. Miscellaneous	1,943	18	0
" 366. Geological Survey	913	13	0
" 362. Part of the charge Provincial Engineer's Department	5,853	12	3
" 366. Expenses of Witnesses Crown Prosecutions..	36	6	6
" 366. Recort Service	833	17	9
" 366. Compensation to Officers	1,294	12	11

£10,876 0 5

and others. I am, however, content to take those I have already enumerated, amounting, as has been shown, to £180,521 11s. 4d.

The transfer of these services represents so much gain to the province, and I have summarized the amount accordingly.

The total gain or loss upon each item of revenue and expenditure will now stand thus:—

<i>Gain.</i>			
	£	s.	d.
On Revenue—			
Grants to Municipalities and Road Boards	35,044	0	0
On Expenditure—			
Interest on Railways (heretofore charged at 6 per cent.)	64,042	7	5
Cost of Services transferred	180,521	11	4
	<u>£229,607</u>	<u>18</u>	<u>9</u>
<i>Loss.</i>			
	£	s.	d.
On Revenue—			
Capitation	2,161	12	9
Railway Revenue	104,807	1	9
Interest	507	8	11
Incidental receipts (half)	3,010	0	0
On Expenditure—			
Interest on Debt (heretofore paid out of Capitation)	80,000	0	0
Interest at 2 per cent. on Railways	34,886	0	0
	<u>£225,372</u>	<u>3</u>	<u>5</u>
Balance of gain to province	<u>4,235</u>	<u>15</u>	<u>4</u>
	<u>£229,607</u>	<u>18</u>	<u>9</u>

There are yet other items of gain, however, which must not be overlooked: I refer to the departments and services which will shortly be abolished. A reference to the Provincial Treasurer's statement shows that the expenditure of the year ending 31st March, 1876, on these services was as follows:—

	£	s.	d.
Page 355. Superintendent and Executive Council	5,321	15	9
Page 355. Provincial Council	3,868	11	11
Page 362. Provincial Treasurer's Department	1,368	3	4
Page 366. Miscellaneous, viz.—			
Expenses of elections	2364	14	6
Printing <i>Gazette</i> ...	1,881	13	5
Telegraph messages	770	5	7
Home Agency	602	15	3
Immigration Agent	576	3	10
	<u>4,115</u>	<u>12</u>	<u>7</u>

Total additional gain ... £14,669 2 7

This sum of \$14,669 2s. 7d. represents actual gain to the province, although that gain is not accompanied by a corresponding loss to the colony. I add it accordingly to the balance of gain previously stated, and show a total gain upon the operations of the past year of £18,904 17s. 11d.

The Superintendent, at the meeting held in Dunedin, stated, as one of the iniquities we have been guilty of, the taking away of their railway revenues. I have already included this in my statement; but, in order to make it more clear, I will here specially set out the items in a way to be easily understood, and, in doing so, I will take the estimated receipts and expenditure of the present year, which the provincial authorities will readily admit is not likely to be exceeded for some time to come:—

Estimated receipts for twelve months...	£170,400
Estimated expenditure for do. ...	106,900

Leaving a balance of	£64,500
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with which to pay interest on the following amounts expended on Otago railways to 30th June, 1876	£1,739,900
Liabilities in respect of the same	423,200

£2,168,100

It may be urged that it would be unfair to calculate interest on the liabilities, and I will leave them out, although the money is raised, and the colony is paying interest thereon; and I may say that the sum of £110,000 has been paid out since the 30th June.

There is, however, the value of the provincial railways to be taken into account. I will therefore be content to calculate the interest on the sum actually expended on the 30th June last, \$1,739,900, at 6 per cent. £104,894

From which deduct the balance of receipts over expenditure	64,500
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Leaving a loss of	£39,894
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which is now chargeable by law against the Land Fund; and next year the amount will be larger. By this plain statement, the people of Otago will see that, instead of profits to take away, the loss on the railways is a large one, and will know what reliance to place on the statements of the two honorable members for Dunedin in the future. They have continued repeating this imaginary loss of £180,000 to Otago by our proposals, until I really think they begin to believe it themselves. I wonder if the people they were addressing were at all struck by the difference in the statements of the two honorable gentlemen—the one stating the loss at £200,000, the other at £150,000, but neither daring to enter into particulars, although challenged to do so by the Colonial Treasurer. I will now refer to a statement made by my honorable friend the member for the Taieri, when comparing the Government proposals, or rather comparing the amount they spent last year in Otago with what they will have to spend under our proposals. No doubt that was so, and I am not going to complain of that statement. I only wish

to ask him where they got the money. It is very easy to run into debt, and with that money say, "Look what we have accomplished." That is the case with Otago. Let me take the actual revenue for last year, after deducting the sums I have put down as coming from adventitious sources and from the General Government for subsidies to Road Boards, and deduct that from their actual expenditure, and the deficiency on last year's transactions would be £218,813 10s. 6d., or equal to the eleven counties we propose for Otago, in addition to their income, running into debt nearly £20,000 each. Will the honorable member tell me that, had these counties been in existence, they would have contracted such a debt; or, if they had, would they not have spent the money to as great advantage as the Provincial Government have done? This is one of the merits of the Government proposals, by giving the people local self-government you bring them face to face with their receipts and expenditure, and so put a check on extravagant expenditure of both Provincial and General Governments. Even take the Provincial Treasurer's own abstract without deducting these sums, and it will show an expenditure exceeding his receipts by £132,515 16s. 6d. The Colonial Government is accused of going to the bad at a great rate; but I think, if the honorable member for Dunedin were to look at home, he would see that he is going in that direction at a much greater rate. There is yet another statement made by the honorable member for Dunedin (Mr. Stout) at that meeting. Referring to the leases of the runs falling in, he is reported to have said, "You could have made such arrangements —"

Mr. STOUT.—I never mentioned the runs at all. I said nothing about them.

Mr. G. McLEAN.—I have in my hand the newspaper report of the honorable gentleman's speech.

Mr. STOUT.—I was not aware that the honorable gentleman perused my speeches.

Mr. G. McLEAN.—No doubt; or the honorable gentleman would have been a little more careful in what he said—he would not have gone to such an extravagant length as he did in his speech. However, he is reported to have said, "You could have made such arrangements that you could get four or five times the revenue you get now." Might I ask the honorable gentleman what is to hinder their doing that now?

Mr. STOUT.—The Government.

Mr. G. McLEAN.—The Government has nothing to do with it. Cannot the County Councils, which will benefit by the increase of rents, be trusted to bring pressure on the Waste Lands Board to dispose of the runs on the best terms, and open lands for settlement quite as well as the Provincial Council ever did? But what did the honorable gentleman wish the people he was addressing to understand? The honorable gentleman wanted them to believe that their revenues would come to the Colonial Treasury, while he knew perfectly well our proposals would do no such thing. By our proposals the counties will get every shilling over the expenditure that we have put down as necessary to charge against their land revenue. Our aim has not been to take

the land revenue. Our aim has been to localize it, and I think I have shown that, as far as Otago is concerned, that province will not be a loser but a gainer. This, however, must not be lost sight of, that the Land Revenue in some of the provinces will be short, as we have shown; but, instead of following the present system of throwing out large lump sums on no principle whatever, we are going to act on principle. We ask Otago and Canterbury if they have any objection to help the other provinces, and they will say—and no doubt will say quite rightly—"If you will help yourselves we will help you." That is what our proposals will bring about. We intend to ask these provinces to put their hands in their own pockets, and in proportion as they contribute to their own support we will subsidize them out of colonial funds. That is the proper way to help them, and not by a vote of this Assembly to throw out a lump sum to one of these provinces and not to another. That is a system which must be put an end to. That is a system of finance we must stop, and set to work to put our house in order. The honorable gentleman has lectured us about bringing our finances into a proper state; but I tell him that there is no member of this House who is more alive to the necessity for doing that than the members of the Government, or more desirous to bring our expenditure within our means. But are we to jump from one extreme to another, and so paralyze the country? No, Sir. We should paralyze trade and everything else if we were suddenly to stop all these public works.

Mr. STOUT.—No.

Mr. G. McLEAN.—I say Yes. The honorable member says "No;" but I ask him if all this expenditure were suddenly stopped, and he saw grass growing on the unfinished lines of railways instead of trains running along them, would not that paralyze trade? What use would they be to the colony then? What revenue should we get from them with which to pay our interest? We want to continue the works with judicious expenditure, and to complete those portions of the railways without which the rest cannot pay or be of any use. That is the system in which Otago and Canterbury are prepared to assist the rest of the colony, and I am sure they will do so cheerfully when it is done on principle. It is said to us, "You must reduce your expenditure now." We are going to be in earnest in reducing our expenditure. As soon as this session closes we are going to take into consideration the whole of the departments, and see by what means we can save, and what departments we can put together. I am perfectly sure that, unless the Government take that step, the House cannot do so, and I venture to say that we shall be able to meet the Assembly next session with a very considerable reduction. The honorable gentleman referred to a very large reduction in the Customs revenue, and pointed out that we should have a very large deficiency in it. But what do the returns that we have actually got in show? They show a deficiency upon the quarter of about £5,000, which is equal to £20,000 for the year; but it is no criterion to take one quarter, and, with the

large influx of population on the West Coast, I think the revenue will rather increase than decrease. We have to take that into account. I do not think it necessary for me to take up the time of the Committee further. I shall not now refer to the figures of the honorable member for Akaroa. We shall be able to see them in print, and it will be better to do so then. The honorable gentleman told us such a doleful tale that I should be very loth to believe in his figures, but I will allow them to appear in print before referring to them, and then see how they work out. I can, happily, take a more cheerful view of matters than he does, and I am not at all prepared to acknowledge that New Zealand finances are to be compared to those of Turkey and Egypt. I have greater faith in the ability of New Zealand to pay her debts and the interest on them, and, if necessary, to complete her railways by borrowing more money. I am sure these railways, when completed, will considerably relieve the Consolidated Revenue by receipts, and I am perfectly certain we shall see a better state of things in New Zealand than the doleful statements of the honorable member would lead us to imagine.

Mr. STOUT.—I only desire to make one or two remarks on the statement just delivered, but I must first point out that these Financial Statements—this is the third—coming from the Government benches rather tend to confuse one. No two of them agree. I wish, as briefly as possible, to point out two things. The honorable gentleman now says that the Provinces of Otago and Canterbury are not to lose anything; in fact none of the provinces are to lose anything by abolition—they are all to be gainers. Now, if they are all to be gainers, the money must come from somewhere, and of course we can only suppose that it is to come from the General Government; but if our finances are in such a crippled condition, how is it that we can give more to the provinces? That is a very peculiar thing to say, when we consider that the Colonial Treasurer, in the Supplementary Financial Statement delivered on the previous evening, told us that the bad state of the colonial finance was to be accounted for by the fact that the provinces had been getting more from the Government. Thus we have these two diametrically opposite statements: The Commissioner of Customs tells us that the provinces are to get more, and the Treasurer tells us that the main reason for abolition is that the provinces were getting too much in the past. I ask any one if it is possible to reconcile such conflicting statements. Of course it is impossible to do so; and really I think honorable gentlemen on the Government benches should be more careful in the statements they make, because statements such as these do not do credit to their reputations. Then, as to the runs. What has been done in regard to the Canterbury runs? They are not to be put up to auction; they are not to be allowed to fetch their proper value in the open market; but the Government are going to give to the pastoral lessees leases for all time to come, at an assessment which is to be fixed by Government officers. Will any honorable member say that that is a proper method of

fixing the assessment? I think not; and I say that, so long as this Government has power to deal with the land question, the runs will not fetch what they would fetch in the open market.

Mr. REES.—I, in common with other honorable members, was delighted with the clear and lucid statement, not at all encumbered with useless figures, which the honorable gentleman has given to the Committee. It is evident from the warm applause it met with that every one understood it thoroughly. It is quite certain that the honorable member himself understood it. That was obvious. And yet it required to be reconciled a little. One thing the honorable gentleman said was, that the railways must be worked at a loss for a long time; but that did not seem to accord with the view he took at the end; for he said that, when they were working, they would go a long way toward easing the Consolidated Revenue. He spoke also about the railways running "on the lines." I do not know whether the honorable gentleman is aware that the Government railways, as a rule, run off the lines. I should like to have his ideas upon that point; because the honorable gentleman's ideas, taken in connection with his grammar, are very singular. If the trains do not run straighter than the honorable gentleman's nominatives when they get away from his verbs, it will be a very bad job for them. The honorable gentleman also said he would not take into consideration the sum of £154,000 6s. 8d. Now, I want to know why he was so particular about the 6s. 8d., because I observed that, whenever he finished with "6s. 8d.," he looked over at me as if he had made a great point. I sincerely trust, Sir, that the honorable gentleman did not intend to cast any reflection upon me because I happen to belong to the legal profession. I know that the honorable member for Waikouaiti is a witty man, but for all that it is difficult sometimes to understand what he means. I have no doubt that if he explains the matter to the Postmaster-General he will be able to understand the joke about the 6s. 8d. The honorable gentleman seemed also to mix himself up very much in his explanation of the various sums. I do not know whether he has ever read Sam Slick's two great speeches on the eradication of thistles and the 40s. franchise. When Sam Slick got up to address the American House of Representatives on these two subjects, he got them so much interwoven that he sat down very much puzzled himself, and that was his last appearance in the House of Representatives. I now see something of the design that is to be observed in remodelling the Ministry after the session. The Commissioner of Customs is to be the Colonial Treasurer. It is evident he has been working up to that, and the easy quietness and smiling assent that passed over the Premier's countenance while the honorable gentleman made his Financial Statement was something beautiful to behold. It is clear that the honorable gentleman is to be Treasurer, because he said he had taken a stand, and was going to put the House in order. That is a very good thing, and I was glad to hear it. It is wanted. It has been wanted

for a long time; and I am sure, from the high intelligence, the lucid intellect, and the deep financial knowledge which the honorable gentleman has brought to bear upon this task, that something extraordinary will be placed before us next session. The honorable gentleman says that as soon as the House is prorogued he is going to try to reduce the expenditure, and see what departments can be put together. I remember that, when wooden pavements were first introduced in London, it was proposed to put a wooden pavement round St. Paul's. When Sydney Smith heard of the proposal, he said that if the Mayor and members of the Corporation would only put their heads together, they could easily put a pavement round St. Paul's. Now, if the honorable gentlemen on the Ministerial benches will only put their heads together, I will not say that they would make a wooden pavement, but they will certainly make a very remarkable financial statement. I have not the slightest doubt they will do something extraordinary by the time the House meets again.

Mr. BOWEN.—I presume this is a specimen of the financial debate to which we have looked forward, and this graceful badinage is the answer to the very carefully prepared figures placed before the House by my honorable friend the Commissioner of Customs. I say very carefully prepared, because they are figures I should like to see closely studied and answered, if honorable gentlemen opposite can answer them. The honorable member for Akaroa did attempt to deal carefully with the question from his own point of view; but it will be admitted, I think, that he took an unjustifiably gloomy view of the position of our finances, and looked on them as a problem out of which he might deduce the most grievous possible result. For instance, he pointed out that the Colonial Treasurer made up a surplus by issuing Treasury bills during the recess; and he gave the Committee to understand that these Treasury bills were issued in order to supply a deficiency in the ordinary revenue. But, Sir, had the honorable gentleman looked into the matter more carefully, or desired to state it fairly, he would have shown that these Treasury bills were issued under two Acts of the Assembly—"The Provincial Public Works Advances Act, 1874," and the Provincial Appropriations Extension Act of last year. Now, I do not think it is fair to speak of Treasury bills, issued under special Acts and for special purposes, as if they were issued merely to create an equilibrium in the colonial accounts. Then the honorable gentleman omitted to point out that one great difficulty in making both ends meet, as the honorable gentleman calls it, arises from the determination of the Government to throw the whole of the charge for interest on uncompleted works upon the current revenue of the country. The Colonial Treasurer pointed out in his statement that, out of the £7,000,000 spent on public works, £3,500,000 is at the present time non-productive—that is, sunk upon railways which are yet uncompleted, from which no return is obtained, and on account of which no charge can be made upon the land revenue. There is, therefore, a charge

of £180,000 a year of interest at present borne by the ordinary revenue, which, if any public company had constructed the railways, would be paid out of the loans raised for their construction, because it is a rule with all public companies engaged in the construction of railways to pay the interest on the money spent out of the loan raised. The Government did not think it advisable to do that, and the whole of this charge is therefore shown against the ordinary revenue. That is one reason why the revenue appears in a more unsatisfactory position than it really is in. Then there was another point in the honorable gentleman's speech to which I should like to draw attention. He said the whole of the interest on our loans was paid to a foreign creditor, and in saying this he appeared to wish the Committee to believe—I do not suppose he meant it—that it was a mistake to borrow money at all, because it was necessary to send the interest out of the country to a foreign creditor. The question really is, whether the money which is borrowed is spent upon reproductive works or not, and whether they are works which it will really pay the country to make. That is the question at issue, the question for us to consider. The matter now before us is to consider whether the Committee approves of the Colonial Treasurer's statement that the Government wish to reduce the expenditure, but to reduce it in such a way as not to create a panic; to reduce it gradually and carefully, and to take time to see how the reductions can best be made; and, further, to borrow a sufficient sum of money to carry on gradually and prudently the works already initiated, and to obtain an estimate of what money will be required to continue the construction of public works in the future regularly and economically. That is, putting aside the figures, the financial policy that my honorable friend has brought down to this House; and it is for honorable members to decide whether the policy proposed is a judicious one. It certainly would not, I think, be deemed judicious on the part, say, of any private landlord who had undertaken to borrow money to drain his estate, if, when he had got through that money, and saw that he would still with prudence and care be able to complete his drainage scheme, he left half-finished and blocked-up drains encumbering his estate, and allowed all his previous expenditure to remain wasted and unproductive—to act, in fact, like a man who had taken a sudden panic, and had determined to go no further. I do not wish to weary the House with figures; for it appears to me that some honorable gentlemen do not like figures when they are given to them. I now merely wish to draw attention to what I conceive to be the salient points of the policy placed before the House by the Colonial Treasurer; and I hope that if the House does approve of that policy, it will support the Government, and allow them during the recess to make such reductions as they may be enabled to make in the ordinary expenditure of the country.

Mr. REES.—The honorable gentleman has spoken in a dignified manner, and with very great care. He asked us to receive the very careful

figures of the honorable member for Waikouaiti, the Commissioner of Customs. The honorable gentleman does not seem to understand a joke. Why, any one could see that the honorable member for Waikouaiti was talking against time. The idea of the honorable member attempting, I will not say to make the Committee, but to prevail upon the Committee to believe anything else! One could see, from the smile upon the honorable member's face when he got up to speak and when he sat down, that he was talking against time. That evidently was the honorable member's intention, for otherwise he would not have thought of giving such figures to the House. The members of the Government and some of their supporters do not seem to understand sound figures at all. They do not seem to be able to understand figures that go upon good data, or, if they do, they do not pay the slightest attention to them. Ministers themselves are always bringing down figures, and no two of them agree upon their figures. The present Premier, when he brought down his statement last year, had to explain it with a whole lot of ludicrous columns in a second statement. This year his statement disagreed with that of the late Premier, and he now brings down a fresh statement, which disagrees with that of the late Premier. The honorable member for Waikouaiti now gets up with a set of totally new figures, differing from the statements already given to the Committee and to the House. So long as the honorable gentlemen hold their seats as Ministers and keep the thing going, they will be satisfied. Of course as long as the money lasts it will be all right, and they will get a majority of the House to support them, as they have had hitherto. It does not matter how monstrous their figures are, and whether they are susceptible of being reasonably interpreted or not, as long as the money lasts they will get a majority to support them in carrying on, many honorable members hoping to get for their own districts some of the money that is spent. Although the honorable member for Waikouaiti or any other member of the Ministry might get up and make a series of the most stupendous blunders—blunders bigger than they have yet made with their figures—they would go on in the same way until the end of these Treasury bills and borrowing comes, and then I am afraid the House and the country will want figures a little more exact. They will want to overhaul the state of affairs, to learn how they stand, and how they are to meet the difficulties in which they are plunged. The Minister of Justice referred to what the honorable member for Akaroa said about Treasury bills being a bridge over difficulties to make both ends meet. He was absolutely correct, and, whatever you may say or whatever terms you apply, that was the actual fact. This year we are going to borrow, upon the faith of Land Fund, £145,000 by means of Treasury bills, and we shall have to borrow as much besides. We shall have to raise about £300,000 upon Treasury bills this year. The end of this must come. If the honorable member for Waikouaiti, in his playful moments, should by chance hit upon a solution of the difficulty, he will, at any rate, be deemed worthy of public thanks. I

will not say what sort of medal should be given to him or to other members of the Ministry, or of what substance it should be made. At any rate, a medal might be struck and presented to them if they hit upon any measure consistent with their own dignity, the dignity of the people and of the public service of the colony, that will make, in the common acceptation of the term, both ends meet.

Mr. MANDERS.—I think it is necessary, after what the honorable member for Dunedin (Mr. Stout) has said—that no Government supporter got up to support the Ministry or to speak in favour of their policy—that some one should do so. I am very glad that the remarks of the honorable member for Dunedin this evening have led to the explanations given by the Minister of Justice and by the Commissioner of Customs, for I think a great deal of light has thus been thrown on the position of affairs—a far stronger, clearer, and fairer light than we gathered from the figures given by the Premier last night. The assurance given by the Minister of Justice is that reductions shall take place during the recess, and we have also similar assurances from the Commissioner of Customs. I expressed to the Committee my opinion the other evening, that the estimates should be largely reduced, and now that we have received assurances to that effect in such a straightforward and satisfactory manner as those to which I have alluded, I think it is very desirable that the business of the country should proceed. I for one as a supporter of the Government shall, after the assurances so strongly and distinctly given to-night, be prepared to support them, believing that they will during the recess carry out the necessary reductions in the Civil Service that the country looks for. The honorable member for Auckland City East appears not to understand the figures given by the Commissioner of Customs, but I do not know whether there are any figures that the honorable member does understand. I find him challenging the statements of the late Colonial Treasurer, Sir Julius Vogel, and I find him challenging every Financial Statement. If any person brought up a balance-sheet founded upon the honorable gentleman's own figures, and said, "This is correct, it is compiled from figures supplied by the honorable member for Auckland City East," he would not approve of that statement. I do not think he could agree to any statement made in this House. Apparently he has not been able to do so up to the present time. I think we have been wasting time in trying to convince the honorable member, and we should not attempt anything further in that direction, but let the honorable member blunder on. Let him go back to his constituents and say, "The great colonial financiers in the Assembly would not listen to me, who went down to instruct them." I cannot but say that it is a waste of time, and that the Ministry are figuratively throwing pearls before an animal the name of which it is better not to mention. The honorable member said, that most of the Government supporters sat looking on in an idiotic manner, and not understanding the figures offered. He, for one, denied both asser-

tions. He had listened attentively to the several statements, and quite comprehended the views they set forth. I think the criticisms of the honorable member for Dunedin, which were fairly listened to, provoked from the Ministerial benches assurances which, to me, at any rate, are satisfactory. I trust that the Committee will, upon those assurances, proceed to pass the estimates at once.

Mr. STEVENS.—As we have at last embarked in a financial discussion, perhaps a few remarks from me upon the finances of the country may be not altogether unacceptable. My remarks will not be very long, and I will endeavour to condense them as much as possible. The first point, Sir, that strikes me to remark upon is the very important improvement which was effected by the House last year in reference to the abolition of the Reserves Account, an account which, in my opinion—I having observed it for many years—was altogether based upon a delusion, and was productive of nothing but inconvenience, if not disaster. While upon this subject, I would like to allude to a matter which has been referred to by several honorable members during the session, and this evening by the honorable member for Akaroa. That is the payment of £123,800 for interest paid in the present financial year, but belonging to last year—that is, interest due on the 15th July. What I wish to point out with reference to this is, that honorable members need never trouble themselves any more upon that subject, so long as they see that one complete year's interest is paid in one complete year. That makes an end of that question. Of course, what I now say does not in the slightest exonerate the Colonial Treasurer from a charge which has been made a good deal of this session: that he over-estimated the Customs revenue last year. I am quite prepared to admit that is a very fair subject for criticism. If a Colonial Treasurer does over-estimate revenue he is liable to criticism, if not to censure; but my honorable friend has had, if he chose to take advantage of it, some very notable examples for his guidance in this respect. If I am not greatly mistaken, his two immediate predecessors committed the same offence with which he has been charged; and those crimes, if we can so term them, have been passed over with great leniency as compared with the charges which have been brought against the present Colonial Treasurer. I think that a reference to the finance of the last eight years will fully establish that fact. There was another thing in connection with the previous Financial Statement—that of Sir Julius Vogel—that gave me a great deal of satisfaction. It was the disappearance, however suddenly, of that financial phenomenon, the division of the Stamp duties into two portions—one being carried into the general ordinary revenue of the colony; and the other being taken, I suppose, to improve the appearance of the Public Works Account. I am not aware that in the course of my life I have seen anything more utterly absurd than that which happily is now no

longer to appear in the finances of this colony. It is inconceivable to me that such a thing ever could have been done. I took an opportunity of protesting against it in 1870, and at last it has disappeared. At last, I understand, we are taking the Stamp duties entirely into the Consolidated Revenue on ordinary account, and we no longer divide that item of revenue into two portions, taking one into the ordinary revenue of the colony, and the other to improve the appearance of the Public Works Account. But it strikes me as a little remarkable that, in the first statement—that of the honorable gentleman who was lately at the head of the Government—no notice was taken of the extinction of that system, although it has subsisted ever since the year 1870. However, I am not going to say any more about it, except heartily to congratulate this Committee upon the non-appearance of any such division of the revenue from Stamp duties in the present Financial Statement. I am now going to say something on the subject of the Bank agreement. I know this is a very dry subject as well as a very intricate one, and I am not going to trouble the Committee with any lengthened remarks upon it, because it is a subject which it would take a great deal of time to go carefully into. I am not going to complain of the terms of business which are mentioned in that agreement. I am not going to say it would have been desirable to divide the public banking account of this colony amongst the banks. Whatever may be my own opinion on the subject, I am not going to advocate that at the present period of the session. But I abstain from discussing it, because I think the House has made up its mind on that question for a time at all events. At least the last House did so. It distinctly entertained the opinion, as I understood, that the facilities which were offered by the Bank of New Zealand for the conduct of the public banking business were such that it was altogether impossible that the Government could deal with associated banks upon equally favourable terms. It has appeared, I think, that the facilities offered by the Bank of New Zealand were very considerably greater than were capable of being afforded by any association of the banks operating in the colony. Whether that will continue to be the case, I cannot say. I am aware that it was the opinion generally of the honorable members of the last House; and I think it is the opinion of many honorable members in this House that having the Government account with associated banks would tend to create a species of monopoly, and that the Colonial Treasurer for the time being would lose that opportunity of benefiting from competition which he now is more or less able to secure. But the point to which I want to refer is this, and one portion of it, I think, has been referred to by the honorable member for Parnell in an early part of the session: During the negotiations with the Inspector of the Bank of New Zealand, the late Colonial Treasurer, if I remember rightly, received an intimation that the terms upon which moneys could be drawn out of the Bank in London would have to be modified by Act of Parliament; and that in the event of

certain circumstances, such as a hostile Government being in power, and so on, the Bank might be seriously prejudiced. Now, I do not object at all to that, as I think the honorable member for Parnell previously objected. I do not for one moment object to the banker taking that course; but I strongly object to the gentleman who may be in charge of the financial affairs of the colony returning as an answer to such an application the statement that, to protect the banker from capricious action, the Government will be prepared to introduce next session a Bill which will have the effect desired. Now, I am not going to charge my honorable friends on that bench with doing this, because they claim to be—and I believe with more or less justice—a new Government; but I say, that if such things are done in the future, they may take my word for it that a feeling which is already existing in the country, of very considerable uneasiness on that very question of the undue intimacy of the Administration of the day, or of any Administration that may be in existence at any time in this colony, with the Government banker for the time being, will increase to a feeling of strong dissatisfaction, that will very likely prejudice the safety and existence of any Ministry that may sit on that bench and act in such a way. Therefore, if my honorable friends would take a word of advice from me, given altogether in a friendly spirit, I would urge them under no conceivable circumstances to put themselves in such a position of reproach as that would be, and which would certainly be taken advantage of by those who are hostile to their policy, and consequently hostile to mine. I propose to make a few remarks upon the proposals now before the House, and, in doing so, I should like to say that, in my opinion, this difficulty into which the country has got financially—and there is no doubt that it is a difficulty—is one which, if it has not been anticipated by the public at large, ought to have been anticipated. That it has been anticipated by some I know. It has been anticipated by myself amongst others, and it has appeared to me for a long time past to be absolutely inevitable. It has arisen from the transactions which took place in the expenditure of public money with undue haste, and which have landed us in this position: that we have got to pay a very large amount of interest upon works which are not at present productive, owing altogether to the extreme haste—I may say the altogether unpractical manner—in which the public at large clamoured for expenditure, and in which the Government of the day admitted those claims, and submitted to the agitation. Having said so much, I would beg to observe that the proposals of the Government in regard to the Land Fund are, of course, not capable of sustaining strict criticism from a financial point of view, and there is no doubt the Government must be as well aware of it as any one. In fact, the Colonial Treasurer makes no secret of it; he says it is a necessity. Well, I agree with him; it is a necessity. Of course, it is not good finance. It cannot be good finance to contemplate six of the provinces out of nine being

defaulters on the annual account of their land revenue, upon which we are placing the charges proposed. Of course that is not satisfactory; but put any Colonial Treasurer you like on that bench, and ask him what he can do under the present circumstances; ask him by what means he would bring the revenue and expenditure upon an equilibrium—

An Hon. MEMBER.—Retrench.

Mr. STEVENS.—I quite agree with those who say "Retrench," but it must be remembered that four months of the year have already expired—that you cannot retrench in a few minutes or in a few days, or in a few weeks. The best thing for those who advocate retrenchment to do, would be to all go together, and leave the Government as much time as possible to make their arrangements in the recess. Speaking upon this as a purely financial question, we must, admit that it is a necessity; but what is the alternative? If by retrenchment you improve the state of your revenue in such a manner as that, these advances can be made out of the Consolidated Fund instead of being paid by Treasury bills—a system which has been animadverted upon all round the House—what do you do? You simply make these provinces debtors to the Colonial Treasury; and what will be the effect? That of course your colonial finance generally will be better, but nothing more. These provinces would still go on becoming indebted, and every year the cry in this Committee would be, "Auckland is being paid for by other provinces," it would be said that one province was being paid for by another. That is just what used formerly to go on in this Committee, and what will go on again. I should like to say a word about the hospitals, and other charitable institutions. And here I would like to congratulate the Government upon the change which they have made as compared with the proposals which were embodied in the first Financial Statement. I do not altogether approve of them as they now stand, but they are materially better than the former proposals. The first proposal was that the hospitals and charitable institutions should be provided for by contributions of counties and municipal bodies, aided by some small subsidy from the Consolidated Fund. It is not so much only from the financial as from the administrative point of view that I object to that proposal, because it is a system which I venture to think would have caused very considerable hardship to those who were likely to need the assistance of these institutions, and could under no conceivable circumstances have given sufficient security to the public at large that the injured and the poor were properly taken care of, and were under the supervision of proper authorities. Before leaving that part of the subject, I trust the Government will, at an early date, inform the House what is the exact system upon which they propose to conduct the administration of those institutions, in order that there may be a feeling of security in the country regarding them. Now, I would like to say a word or two about the necessity for raising a new loan. Well, if it could possibly be avoided, I believe the House generally would be glad. If we

could maintain the public works in a state of necessary activity without it, and meet existing engagements, I believe this House generally would approve of dispensing altogether with fresh borrowing, if that could possibly be done. Without going into figures which are quite familiar to honorable members, it is perfectly impossible to dispense with further borrowing, unless we are going to make further inroads upon the debentures Imperially guaranteed, and which we can always use as a most valuable collateral security. I hope the time will never come within a good many years when we shall be compelled altogether to part with those bonds. It has always been a source of regret to me that we parted with £200,000 of the million guaranteed debentures. I do not know how that arose, as I was in England at the time. I am sorry that we have encroached on that million of guaranteed debentures, as I have always looked upon that as one of the most valuable assets which we could possibly hold, and which we should hold as long as we possibly could. With regard to the inscription of stock which has come down to us in the form of a Bill, I may say that the plan, originally due to Mr. Westgarth, has been perfectly well known to many persons for some time, and, if I understand rightly, it has been looked upon and strongly advocated as a very desirable thing. I will give my hearty support to that proposal, because I believe the inscription of stock will be of very great value, and will be calculated to improve the demand for our securities as a permanent investment. My honorable friend the member for Dunedin (Mr. Stout) made some remarks on the general question. No doubt when you are attached to any side of the House—whether Abolitionist or Provincialist—you are tempted to give a colouring to everything you say, even in matters of finance, into which it would be very much better that we should not import these feelings if it could be avoided. I do not know any better rule in dealing with finance than that you should not quarrel over your figures. My honorable friend has spoken of the robbing of the provinces, or something to that effect; he spoke of the wrong to the provinces which was going to be inflicted by abolition. I am quite content to admit that in some respects the expectation of the Government will not be realized, because there is not the money to realize it with. That is the reason. If the expectations of the Government were to be realized, the people in the provinces would have to pay more taxes. This must be the case in order that the objects of the Government may be realized. I will tell my honorable friend this: that long before he was in this House, for many years past, the same problem has been before the country. It has been simply the allegation, for I do not know how many years, that it was the Provincial Governments which were losing by colonial finance; but the real question is, whether the people who lived in the provinces were losing. There is a wonderful deal of difference between the two propositions. One of the great advantages that will come out of the Abolition of Provinces policy will be this: that the public will be brought face

to face with their expenditure. They will know the source of the advantages which they will derive, and they will also know thoroughly the cause from whence disadvantage or misfortune may arise in regard to the finance of the country. Then my honorable friend says what we ought to do is to economize on the departments proposed to be charged on the Land Fund.

Mr. STOUT.—I did not say so.

Mr. STEVENS.—I was unfortunate in not hearing the honorable gentleman distinctly. My honorable friend will have an excellent opportunity of studying economy when he comes to deal with those items. The honorable member for Parnell, I think, if I understood him rightly, had a very simple method of settling the deficiency, of making up deficiencies in the land revenue, and of obviating a state of things which he considered to be dreadful in relation to the land revenue of provincial districts. If I understood him rightly, he said that, if there was a surplus of land revenue in certain localities, it could be taken to meet the wants of other parts of the colony—that the difficulty could be got over in that way. Well, that is a very simple proposition indeed; but I do not think it would bring the revenue and expenditure into equilibrium. Even if it did, it would hardly be consistent with those Provincialist notions which my honorable friend, I believe, professes, or, until very recently, professed. It would be a distinct violation of the Abolition principle, and it would be exceedingly distasteful to the people in large sections of the country. I do not think my honorable friend's remedy is one which we should adopt. My honorable friend the Premier told us that it was quite evident that the Public Works and Immigration policy had been an undoubted success. I do not propose at this period of the debate to discuss that point with my honorable friend; but I say this, that the proof of the pudding is in the eating, and that we have not yet got to that point at which we are fully able to judge of the full effects of that policy either for good or for evil. We must wait for a year or two, and we will see; and I have no doubt that the people of this colony will form a very clear and distinct opinion on that point. Without wishing to weary this Committee, I would like to call attention to a comparison which I have made of the value of the products exported from this country in the year 1871, before the Immigration and Public Works policy could have taken any effect, with those of the year 1874—less than two years ago—and of 1875. A study of these figures will be useful to honorable members who wish to arrive at a conclusion as to the facts. I find from the statistics that whilst in 1871, when the Public Works policy could not have had time to affect our producing powers, the value of exports—gold, kauri gum, hides, tallow, wool, and grain—was £4,789,623, in 1874 it was only £4,897,855, when the policy had been three years in active operation. And taking the statistics of 1875, the export value is only £5,260,087, the wool being taken at a very high rate. I do not think there is any great amount of increase in value there, when we look at the state

of things since then. I am afraid that, although we have a very considerable amount of population come into the country, the aggregate quantity of what we have got to sell, the produce of the country itself, is not at all commensurate with the rate at which we have been borrowing money, and expending it. That is all I want to establish. I do not wish to throw any sort of discredit upon the policy or its author, or anything of the sort; but it does appear that we have been subjected to a very excessive expenditure in comparison with the productive powers of the country. We shall have an opportunity, when the subject becomes more matured, of discussing the merits of that policy, by the light which further experience will give. Before I go any further, I should like to say that, after a very careful examination of the finances, I see no reason to change the opinions I expressed at an earlier period of the session, and which the honorable member for Taieri seemed to doubt. In the course of the debate which took place, my honorable friend seemed to think that my figures were not correct, and that the expenditure of the country was not two millions and a quarter. I should like him to discuss the figures with me. I think I could convince him that the expenditure of the country was something considerably in excess of two millions and a quarter. I think honorable members are rather in the habit of allowing these things to pass by without giving them the close examination which they deserve. In the face of this very great expenditure, what has to be done? What can be done to help this state of things? What is going to happen next year? I agree with those who think that the Hon. the Colonial Treasurer should make greater reductions in his Customs estimate, as, notwithstanding the reductions proposed to be made, the revenue may not at all reach his estimate. It is very difficult for one, who has not got the same means of obtaining information as the honorable gentleman, to say with any real confidence what is likely to be the exact revenue. In the face of a very large diminution in our staple product, in the face of the fact that the price of grain is not very high, unless there is some great addition to the produce of gold, which has been almost stationary for the last few years,—unless there is some very great increase in that item, I am very much afraid that greater reductions ought to be made in the estimate than my honorable friend proposes to make. I speak with some diffidence on this point, because the honorable gentleman has access to information which I cannot possess; but I would prefer to see the estimate placed at a lower rate than has been proposed by the honorable gentleman. Then, Sir, we have to consider that next year we shall have an addition to the permanent loans of the country. We are going to borrow another million, and next year we shall have to provide the interest upon that amount. We should remember that, and not come up here next year under the belief that we are going to have a prosperous state of finance. When we come up here, we shall find a deficiency in Treasury bills of £145,000. We may

have £50,000 or so less on the Customs than is estimated; and it is highly probable that the total deficiency which we shall have to meet next year will be from £200,000 to £250,000. Then, as I have said, we shall have to provide for additional interest on borrowed money. We have got to face this difficulty, and the sooner we face it the better. When there is talk about retrenchment, I am not one of those who go in for reducing the salaries of the Civil servants 25 per cent. all round, rather pay a moderate number of good men well; but I say that this difficulty of retrenchment is one that has to be met, and it is one of the greatest difficulties that have to be encountered by the Government, and we should give them our sympathy and assistance in overcoming it. I would suggest that we might, without any violation of any sound principle of finance, possibly induce holders of our bonds—I mean the consols and older bonds which carry a sinking fund—to take bonds that do not bear a sinking fund, but are only subject to 5 per cent. interest. These bonds are now over par, and so the profit attaching to those taken at below par for the sake of the chance of being drawn at the annual drawings, has ceased to be an inducement to hold. By this means, I suggest, the sinking fund would be dispensed with, and accumulated sinking fund released for so much as might be converted. As regards the estimates, I do not propose to weary the Committee by getting up a discussion on them. We should bear in mind this fact, that one-third of the year has already gone in this session, and that we cannot go into a long discussion now, but can best deal with the subject on the items. With regard to the departmental reductions, I may say that one of the most important departments, and one which is exceedingly well managed—I refer to the Telegraph Department—is, instead of being a source of profit as it should be, a source of loss, by reason of the extraordinary quantity of telegrams which are sent on the public service. I see the cost of these telegrams is estimated at £16,000 for last year. I must say that I can scarcely conceive how it is possible that £16,000 should be necessarily expended in sending telegrams on the public service within the colony—to say nothing of those sent to foreign parts. I trust the Government will devote attention to that item of their expenditure, with a view to seeing whether that well-managed department cannot show a profit instead of a loss. With these few remarks I will now close. If I have said anything that will be of the slightest use to the Committee in their deliberations, I shall feel that I have not wasted their time. As regards the general estimates, I shall give the Government every assistance in making reasonable reductions in the departmental expenditure.

Mr. LUSK.—Sir, I had not the pleasure of hearing the statement made the other evening by the Hon. the Colonial Treasurer to this House. Had I done so, it is possible that I might have had some of the doubts which have arisen in my mind removed by the observations he no doubt made at that time. But, Sir, I have endeavoured to follow the remarks he made from the printed

reports placed in the hands of honorable members; and looking at the question as a whole—namely, the question of the financial position and proposals of the Government at this time—I feel bound, before any progress is made with the work of passing the estimates through this House, to offer one or two remarks on the general subject of the proposals which I understand are now made by the Government. I will not attempt to go into the general question of those proposals, nor to go over the whole ground covered by the Hon. the Colonial Treasurer. That has already been dealt with to a considerable extent by other honorable members. But it has struck me that the most important part of this question is that part which deals not so much with the past, nor so much with the existing condition of the finances of the country, or the mode in which the country's accounts are kept, as with what the Government propose to do in the future. It seems to me that that is the question of paramount importance to the country at the present time, and, looking at the statement of the Colonial Treasurer with the view of ascertaining what those proposals were, I confess to a considerable feeling of disappointment. I find that the honorable gentleman states that he has been able to make a reduction of some £34,000, as compared with the proposals laid before us by his predecessor. I have endeavoured, in the short time which has been at my disposal, to trace out, in the estimates which have recently in an amended form been laid before this House, the mode in which these reductions have been made, and I find that half of that reduction is occasioned by leaving out two of the items which appeared in the old estimates, namely, £7,000 for provincial libraries, and £10,000 for provincial officers.

Major ATKINSON: No, State Forests.

Mr. LUSK.—Perhaps I may be wrong in regard to the provincial officers. But, however that may be, it appears to me that this is but a very small concession to the feeling which is not merely prevalent, but universal throughout the colony at this time—namely, that very large reductions ought to be made by the Government, in view of the critical times which even the Government themselves admit are very close upon us. I think, Sir, that when the Government state, as they do state, that they are by no means satisfied even that their own proposals are sound ones, when they show that they are actually proposing to raise nearly £150,000 by Treasury bills for the purpose of eking out the proceeds of the land sales, it seems that they are bound to show something very much more considerable than such savings as these, and that great reductions and great economy are now required. But, Sir, when I come to look at this matter of raising £145,000 on Treasury bills, I am met at once by the consideration that this is practically an essential part of the policy of the Government—that it is an essential part of the proposals they make for the future financial management of the colony, because it is not as though this sum was only to be required for this year. If we are to believe that the proposals of the Government to give

large subsidies to the counties and municipalities are *bond fide* and straightforward, then I say it is not for this year only that the £145,000 will be required. It will be required every year, and in an increasing ratio too. I say this, because the Government have again and again said that the land revenue of this colony is not increasing—that in fact the land revenue will be likely year by year to decrease; and if all these charges which I find in the elaborate return appended to this statement are not of an ephemeral character, and if the revenue which meets those charges is not to increase, then I say this scheme, this expedient for raising huge sums of money by Treasury bills, will have to be resorted to year after year, and in an ever-increasing degree. This appears to me to be by far the most important and by far the most terrible of all the views that can possibly be taken of our financial position: that, as a matter of fact, the proposals for the future government of this colony involve an increasing annual deficit in the financial resources of New Zealand. I believe there can be no escape from this conclusion by any one who will look at these figures as laid down by the Treasurer, and who will consider the probable course of events in the future. We have been told to-night that, when these railways are completed, there will be a large increase in the amount of money coming into the Treasury from them. I take leave to doubt it, because I have taken the trouble to look at the maps appended to the Public Works Statement which has been laid before the House; and looking at those maps which show what part of the railway system of the colony is now in operation, and what part is in course of completion, I am forced to the conclusion that by far the most profitable parts have been completed, and that those to be completed are for the most part likely for some years to come to be rather a source of loss than profit to the revenue. I am forced to that conclusion, not altogether from my own knowledge, because I do not undertake to say I know the whole railway system of the colony; but let any honorable member look at these maps for himself, and consider, from what he knows of the part of the country from which he comes, whether the extensions now being carried out are likely largely to increase the receipts over the expenditure incurred by the Government in working those lines. I speak without the least doubt in my own mind with regard to that part of New Zealand from which I come, that it will be years—many years, I fear—before any large amount of revenue arises from the extension of railroads now in course of construction in Auckland. When I say that of Auckland, I think I may also safely say it of every other part of the North Island. If any honorable gentleman will look at the returns of the railways now in the hands of Government, he will see how fallacious a hope it is that there will be “a great relief to the Consolidated Revenue from the receipts from these railways”—those are the words used. It is a mere vision. There will be no relief for years to come, or else all the experience of the past is of no avail. Then, if that is the case, I should

like honorable members to consider that we have before us a new system of government—a new system by which this colony is to be so governed that it will be led into a state of happiness and prosperity never known before. And the basis of all this happiness and future prosperity of the colony is an increased debt of £145,000 for the first year, and that not for purposes that will pass away with the first year; because here they are, and I think every one will admit that they are recurring liabilities. They are such liabilities as Crown Lands Department, Receivers of Land Revenue, Education, Surveys, Interest on Provincial Debts, Subsidies to Road Boards, Interest on Railways, Surveyor-General's Department, Native Land Court, Hospitals, Benevolent and Charitable Institutions, and Museums. Which is it of these that is likely to pass away at the end of the first year? Which of these liabilities is to be cast upon something else at the end of the year? I have not heard anything that leads me to suppose that the land revenue is to be relieved of these liabilities in the future. If not, it means this: either that we are going to have a largely increased land revenue in future, or else we are going on in a system of reckless borrowing on Treasury bills year after year, until it becomes worth our while to borrow another million to pay them off, and then start again on the same bad principle. If that is the new system of government, then it appears to me a fallacious hope that this colony will progress, that its people will become contented, or that there will be any real advantage whatever in the proposals of the Government. I do most earnestly hope that the promises I heard made to-night by the Minister of Justice will be laid to heart by Ministers themselves in a very different way from anything I can see evidenced in any proposals they have yet made to the House. That honorable gentleman asked the Committee to-night to join with the Government in endeavouring to effect all kinds of economy. But I tell him I would go far beyond that. If the Government will join us, I can say for myself, and I believe for many honorable members, that we shall be prepared this year to assist them largely in cutting down these proposals for expenditure. I do not want to wait for a future year, until we have got deeper into the mire before we put our shoulders to the wheel. I say the coach of State is now in so dangerous a position that it is time an effort should be made by the Government and this Committee to extricate it before we separate. I will assist; and I trust the Government, having made such promises and admitted the necessity for such efforts, will join with any one, whether he be a supporter of theirs or a member of the Opposition, who will assist in extricating this country from the load of debt now impending over it.

Mr. RICHARDSON.—The honorable member who has just sat down made some remarks upon the probable receipts from the railways, and the assistance to the Consolidated Revenue which those in course of construction will be likely to yield. If those remarks went uncontradicted, they might do some harm in the future. At

a very moderate estimate, the Consolidated Revenue will receive this year, when all provincial lines are taken over that are now open or about to be opened, assistance to the extent of £180,000. That does not include several lines which are now in course of construction, and are likely to be completed and open for traffic within a reasonable time. When I mention the names of these lines, I think honorable gentlemen from the parts of the country through which they run will not agree that the returns from them are likely to be visionary. There is the whole of the line between Timaru and Dunedin under construction, and a great portion of it is about to be completed and ready for opening. Can any honorable member say that line will not return a very large revenue, and assistance to the Consolidated Revenue? I maintain that it will return very large assistance, and in proportion probably quite equal to, if not more than, the other lines open in the South at present. In the North Island, also, there is the line from Napier to Wai-pukurau. The traffic on that line is very largely increasing, and during the coming year it is certain to yield a very considerable revenue. Although I know there are some honorable members who doubt the fact, I do not myself doubt that the line from Wellington to Wairarapa will produce a large revenue as soon as it is open. The traffic on the road in that district is at present very large; and, as soon as the railway is open, it must enormously increase. Then there is the line between Wanganui and Manawatu. There is already a very considerable traffic in that district, and it is increasing. These lines really represent a very large amount of the capital which is appropriated, and which is not returning any interest at all at present on the outlay. When they are open, those lines will tend to relieve and assist the Consolidated Revenue very largely in the future. I will not trouble the Committee with any further remarks. I merely wished not to allow the remarks of the honorable member for Franklin to go uncontradicted.

Mr. LUSK.—Do I understand the honorable gentleman to say that the £180,000 which the Consolidated Revenue is to receive this year from the railways has not already been taken credit for?

Mr. RICHARDSON.—It is on the estimates.

Mr. LUSK.—Then that amount is already put down. Therefore all the honorable gentleman has mentioned are future benefits to arise from lines not yet completed.

Major ATKINSON.—Lines which will, I may again say, represent about half the capital already expended. There are at present only lines representing about £3,500,000 which are paying.

Mr. ROLLESTON.—The honorable member the Minister for Public Works appealed to members from the South with regard to the probabilities of the railways there paying. I must say, with regard to what fell from the previous speaker, that there are railways and railways. With respect to those in the South there is every reason to be hopeful. I should like, without wearying the Committee, to give them one or two of the most recent results showing the advance

which railways in Canterbury have made. In the twelve months ending 31st March, 1875, the excess of earnings over expenditure on the lines then open was £19,641, and the working expenses were 84 per cent. of the earnings. In the next year the excess of earnings over expenditure was £261,000, and the working expenses were reduced, as the lines were extended, to 67 per cent. of the earnings.

Mr. MONTGOMERY.—Rates.

Mr. ROLLESTON.—I am quite aware that the rates were increased, but still the result shows that the railways are developing the country in a manner which certainly exceeds the expectations most men had formed of them. I must say that the earnings of the first year (1875), £126,000, and of £185,000 in the next year, are results which must be regarded as highly satisfactory. The only point which does seem unsatisfactory to me is, that, when the scheme was first instituted, the permanent way was not so strong as it should have been, and that a large expenditure will be requisite to renew it. In connection with this railway question, I am certain that constant appeals will be made to this House for further accommodation. People are not satisfied with the improved means of transit that has been provided for them, and they never will be satisfied. Constant claims will be made, and the necessity of meeting these claims will militate against the payable nature of these railways in a way that would not be the case if they were in the hands of private companies: not that I advocate putting the railways into the hands of private companies. I do not propose to detain the Committee with any observations upon financial questions, as they have been ably dealt with by the honorable member for Akaroa, the honorable member for Christchurch (Mr. Stevens), and other honorable members; but it is admitted on all hands that we are in difficult times. The fall in wool, and the necessary cessation of a large public expenditure, are bringing about results which we shall have to face, so that there is very little good in spending our time in regrets. What we should do at this stage of the session is to turn our attention to the question of administration, and it appears to me that the first point we should direct our attention to in connection with the administration is one which, to my mind, has prevented the work of the session being gone on with satisfactorily. There is a feeling in the minds of honorable members that we ought to know who are to be the administrators, and the want of that knowledge has been the great drawback of the present session. When Ministers tell us that there are to be considerable changes in the Government, the House is entitled, before the session closes, to know who are to be its Administrators. Administration, to my mind, is above everything else. Our efforts at Constitution-making have not been successful, and, as I said on a previous occasion, the Constitutional Bills that have been brought down are really summed up in the 205th clause of the Counties Bill, which says that the Governor shall have power to make laws and declare what is to be done during the recess; and it is for that special

reason that I attach so much importance to the question as to who are to be our Administrators during the recess. The necessity for this information is very strongly shown by the manner in which a very important decision of this House has to-day been treated in another place. A few days ago we decided, in the public interest, that we could no longer set aside the sum of £10,000 a year for the maintenance of a State Forests Department, and we find that not only did Ministers in this House vote on different sides on the motion for the repeal of that Bill, but, when it went before the other branch of the Legislature the proposal that a Minister brought down here for the destruction of the department, and for bringing the £10,000 a year to account for other purposes, was voted against by another Minister in that Chamber. Such things are very serious at a time like the present, when administration is of so much importance as it undoubtedly is. I should like to say a few words on the subject of retrenchment, a subject which will, no doubt, occupy a good deal of time during the passage of the estimates. I feel as strongly as any honorable member can that retrenchment is necessary, but I hope that in determining upon retrenchment we shall be just in the manner of carrying out our views. The expenditure of the country is divided under two heads—the ordinary expenditure and the extraordinary expenditure, which comes out of loan and is devoted to public works, harbours, &c. With regard to the ordinary expenditure, I may point out that when we come to examine the receipts and expenditure of the different departments, it will be found that many of them are self-supporting. Take the Registration of Lands and the Registry of Deeds, for instance: it will be found that not only are they self-supporting, but that they actually return a revenue to the Government—that, as a matter of fact, the Government is making money out of the labour of its officers. Then, if we take the Telegraph Department, the extension of which is, I think, one of the most satisfactory evidences of the progress of a young country, it will be found that it is paying its way—that is, if we cut off the expenditure that is forced upon the Government for the construction of new buildings and the extension of lines. I do not think the country would be doing right if it did not extend the operations of that department. If we want to economize in the departments, do not let us do it by cutting off £10 or £20 here and there from the salaries of officers, but let us deprive ourselves of luxuries which we have no right to have in the present state of the country. Do not let us act cruelly to officers of departments when there are other means of retrenchment if we choose to avail ourselves of them. I regret to say, and every honorable member must recognize it to be a fact, that, whenever an attempt is made to cut off a single luxury, the whole House is up to defend expenditure of that kind. I, as an old member of the Civil Service, probably feel very strongly on this subject, and may be thought to be partial; but when the House comes to think of the administration of something like £4,000,000 of money, for that is what

New Zealand has now to administer annually, I think there can be no worse economy than to cut down salaries and create discontent amongst officers who have to deal with such large sums of money. I believe that the service is composed of men who are zealous and earnest in the performance of their work; but human nature is human nature, and if their salaries are cut down you will not get the same amount of work out of them. £500 may be cut off here and there, but it will result in a loss of ten times the amount during the year. Then, as to the extraordinary expenditure, there is a point in connection with the loans which requires to be grappled with by Ministers. First of all, the manner in which the money has been raised and afterwards appropriated is, no doubt, exceedingly mischievous, and I believe the proposal of the Government to curtail the borrowing during the present year will be followed up by proposals that will place the whole borrowing system on a better footing. I have before stated my opinion that the sooner we come to an arrangement by which there shall be a power to appeal in respect to public works expenditure, and in respect to the raising of loans, the better. At Home a branch of the Board of Trade, which is known as the Board of Works and Loan Commissioners, distributes the works when it has satisfied itself that the loans will be properly expended; and I am confident that we shall never have a political body in this House which will be capable of determining what expenditure is remunerative and what is not. My honorable friend the member for Akaroa, when he alluded to the public and private borrowing, and the sums raised by Municipalities and other bodies, did not allude to the proposals of this year which seem to me to be the most serious of all. I refer to the proposals under the head of Harbours, which will amount to considerably over a million of money, besides the endowments in land. The Commissioner of Customs proposed to lay a return on the table which would show the total amount to be raised. He has not done so, but in round numbers I believe the amount will be something like a million and a half of money for the purposes of these harbours, and this money is to be handed over to the different Harbour Boards throughout the country to be expended without, as yet, any general control such as ought to be inserted in a borrowing Bill. I wish to say in connection with these harbours, that I think they are, more than anything else, purely colonial works. There is no one point of policy which will tend to raise the status of New Zealand among the colonies of this hemisphere more than the creation of free ports; and what are we doing? We are creating a large number of bodies which will render such a policy impossible. They will fix a different scale of charges in each port, which will be most detrimental to the trade of the colony. Even now we have a Harbour Board issuing regulations and pilot directions as if they were the Harbour Board of New Zealand; and such a state of things cannot but lead to very great difficulty in the future. I have been one who—when money was going freely, and, as I thought, a course of extravagance had been en-

tered upon—raised my voice most strongly in favour of prudence and economy, and I shall not now, when the time has come when I believe every member of this House will have to give his attention and contribute what he can from his knowledge towards the administration of this country, raise the voice of complaint. I shall not be one of those who take a doleful and gloomy view of things. I believe, with one of the last speakers, that this is a time when we should put our shoulders to the wheel so as to get things put into proper form. I do not think they are in proper form at present, and I disagree in point of policy with the Government in respect to the borrowing powers they propose to give to Harbour Boards, and to Counties, and also as to the distribution of the Consolidated Fund to those bodies generally. Having a common purse with the colony always seemed to me one of the great evils of Provincialism, and I do not see that the proposals of the Government do away with the evils of Provincialism. They will be creating a number of hungry bodies, which will come up to this House to be satisfied, and will create just as great a clamour as was ever created by the Provincial Governments.

The CHAIRMAN.—Does Sir George Grey wish to press the motion for reporting progress?

Sir G. GREY.—I desire to press the motion.

Major ATKINSON.—I trust that the Committee will not agree to report progress, and I hope we shall get through the business. We have had a financial discussion so far; and, if honorable gentlemen wish to discuss the finances further, I hope they will take this opportunity and discuss them thoroughly, and then let us proceed to necessary business. I hope a good deal will be done to-night before we part.

Sir G. GREY.—I hope the Committee will agree to the motion. The reason I give for it is this: I am exceedingly anxious to move a resolution in the House. I objected very much to the Committee of Supply being gone into until this discussion had taken place, and I asked that the discussion might be taken whilst the Speaker was in the chair, in the same manner in which it was taken last year. If that had been done I could have moved a resolution. My object in pressing the matter is that I desire to move a resolution, the Speaker being in the chair. It is my own belief, and the belief of many who think with me, that the estimates are capable of being reduced by £100,000, and I believe, further, that it would be possible to make an arrangement by which the payment of sinking fund could in a great degree be done away with. We think that these two matters would result in a yearly saving of £200,000, which would at once relieve the colony from the difficulties in which it is. I think that, having agreed that the Speaker should leave the chair in order that a discussion should be taken in Committee, I am now entitled to get the Speaker into the chair again, in order that I may have a right to move a resolution, which I could have done if the discussion had been allowed to take place in the House as it did last year. Therefore I must press my amendment.

Major ATKINSON.—The honorable member

can move such a resolution as that at any time—the Committee, however, must consider what it means. The Government have reduced the estimates as far as they can see their way to do it prudently, but the Government are not prepared to carry on the business of the country if they are ordered to further reduce the estimates by £100,000. Of course, the Committee will understand that. I will give place to no man in my endeavour to reduce the estimates within proper limits; but I am not prepared to do so unreasonably. The honorable member has given no consideration whatever to the matter. He is absolutely ignorant of the finances of the country, of the estimates, of the working of the departments, and of the revenue of the country. He has shown that he is so, in every discussion in which he has spoken upon the finances, both this session and last session. Therefore, I say, let us come to a conclusion at once, and let the Committee understand the position of the honorable gentleman and the position of the Government.

Mr. REES.—The eminently characteristic speech the Premier has just made—characteristic both of his good temper and of his good judgment, as well as of the justice which he deals out to the honorable member for the Thames—was only of a piece with the finances which he had given to the country, and the position which he and his friends on the Ministerial benches have brought the country into. From himself down to the Ministerial ranks, to the Ministerial supporters, there is no single person who dares to hide from himself the fact, that the country has, through foreseen or unforeseen contingencies, been brought into a perilous position. We have all, supporters of the Ministry and members of the Opposition, a great deal of hope for the future of the country and a great deal of belief in its resources. It is no excuse for the honorable members, who have brought the country into this condition, to say that the country is wealthy, when they are accused of having squandered its wealth. It is of no use to say that the body-politic is able to bear a great strain, as an excuse for having placed an unprecedented strain upon it when it was not necessary to do so. The honorable member for Christchurch City, Mr. Stevens, who spoke in an utterly dispassionate manner—in a manner which could not, by any process of reasoning, be inferred to show the slightest animus one way or another—said that no man in his reason could blind himself to the fact that the country was in a critical position in its monetary affairs—of course he was not speaking of the constitutional question at all—one which might well cause alarm and raise grievous apprehensions even in the minds of those who had the greatest trust in the resources of the country. Then the honorable member for Avon, certainly not a gentleman who would be likely heedlessly to attempt in any way whatever to harass the Ministry, or to draw a gloomy view of our present or future financial position, goes further than the honorable member for Christchurch. The honorable member for Franklin (Mr. Lusk) also did so. Indeed, the more dispassionate honorable

members seemed to be, and the less influenced by any possible feeling of faction or of party, the stronger were the arguments they used, so it appeared to me, as to the critical position in which the colony now is, and as to the danger or dangers which loom ahead. It will require a great deal of skill, forethought, and patriotic feeling, as well as good sense and good judgment, to enable us to meet those dangers. The honorable member for Christchurch said the Ministry were deserving of our sympathy. I do not understand what the honorable member meant by that. Sympathy! For what? Sympathy because they have been called upon to suffer? They have been called upon to suffer nothing. Sympathy because they have been compelled to take a course which they were not inclined to take? They have not been compelled to take any course. Sympathy because for years they have lorded it over the House by virtue of their majority, have lorded it over a minority which may represent a majority of the people? Sympathy for that! Sympathy because they have been allowed to borrow to an extent unknown before in proportion to the means and population of the country? Sympathy because they have been enabled to dispense millions of money without any check? Do they claim sympathy for this? If it be because they have had a career of untrammelled prosperity, and because they have been placed in a more powerful position than I believe any other Ministry ever was placed in any of the British colonies—if that is cause for sympathy, then the sympathies of the House and the country ought to be given with no ordinary measure to the honorable members who occupy the position of Ministers. If those honorable gentlemen had to endure a time of adversity, and had been called upon, as men were called upon seven or eight years ago, to face a decreasing revenue, and not by external aid, by the aid of borrowed money, to build up a fictitious prosperity in the country; if they had been called upon to face a great monetary crisis, to face a time of great depression; if they had been called upon to suffer in this way, and to see a country naturally looking to them to rescue it from depression, whilst they, with vigorous minds and patriotic hearts, were doing what they could, honorable members might well have accorded sympathy to them. But for the truculent air with which they speak to honorable members who differ from them, for laughing at honorable gentlemen who seek to point out defects in their proposals and in their financial measures, they cannot claim any sympathy whatever. Their suffering will come soon enough. When these moneys are done, and when they can by no possibility float numerous Treasury bills to cover deficiencies in receipts and under-estimates of expenditure, when the borrowing of money is at an end, when the public works are finished, and they have to face an angry people both in the North and in the South, as they will have to do before very long, then they will have some call for sympathy; but, like Owen Glendower calling spirits from the vasty deep, they may call, and call in vain. Will the sympathy come? Sir,

the financial propositions laid down by the Premier are not founded upon just grounds, or upon just expectations. The honorable member for Christchurch (Mr. Stevens) very well put it to-night that there will be a falling off in the revenue this year. No one can have a doubt of it. Of course it will follow upon the falling off of the expenditure upon public works, which naturally gave a large producing power to the people for the time being—gave an artificial producing power and an artificial spending power to the people, who received more or less some cash from the Government works going on and from the money spent, which otherwise would not have been spent. When the golden sands of the stream of Pactolus cease to flow we shall see a falling revenue, for what has been done hitherto will no longer be done; the gulf will be so great between the revenue and expenditure that even Ministers themselves will be afraid to ask permission to float so many Treasury bills, and it will be necessary to bridge it over. The estimates we have had submitted to us do not touch at all the new expenditure that is coming upon the country. I may observe that I hope the Premier will remember, in dealing with honorable members, not to speak as he spoke just now to the honorable member for the Thames. It does not seem to me to accord with political decency at any rate, nor with the courtesy with which the Premier of a Government, and the leader of this House, should speak to another honorable member superior to himself in regard to patriotic feeling, intellectual power, education, or position. I say I hope he will give up using such a tone. If he will try to think of it, I am sure he will see how ill it becomes him, and with what very bad grace it sits upon him as leader of this House, to attempt either to take up such a position or to assume such an air as he did a few minutes ago in speaking of the honorable member for the Thames. The Government has not, in the slightest degree, led the House to expect, or provided for, any other estimates of a great amount of cost, which must necessarily fall upon the revenues of the country. Does the honorable gentleman think that these sixty-three County Councils are going to be called into existence without the expenditure of any money? Have they made any provision for that? Who will pay for all the work that will have to be done? The Government themselves will have to do an enormous amount of extra work; they will have to employ extra hands for that and pay them. It will, I suppose, require £1,000 each before these County Councils are fairly started into existence. Why, the very elections themselves will cost a large amount of money. They must have offices for the County Chairman, for the County Treasurer and Secretary, and for the Council to meet in. Where are they going to get them? They will not spring up or grow; they must be built, or purchased, or obtained in some way. That will cost money. Why, the very furniture for these offices, the very books, the seals for the counties—everything will have to be paid for. There is not a penny down in the estimates for these things. I undertake

to say that before the sixty-three County Councils come fairly into existence—before they commence their work—the expenditure, with the salaries that will have to be paid, will amount up to nearly £1,000 for each Council. Well, there is no provision for this. If it is to come out of the county rates it will be more than the whole rates of the counties will be in a year. If they are going to rate the people, the farmers and the property-holders, simply to pay these things, I should like to know with what favour this scheme will be received. The people then will say that indeed they have changed King Log for King Stork—that, whereas the old Provincial Councils as Log did not represent them in the outlying districts, the new County Councils will be the Stork that will swallow them up. These honorable gentlemen not only boast by inference—but they do it openly, and one would think their trumpeter was dead, and that they had the necessity of putting the trumpet to their own lips and blowing their own praises. It seems that, with the exception of one or two honorable gentlemen who are very much attached to them, they cannot find anybody to speak well of them but themselves. Therefore I think it will be wise for the Premier when he speaks again to any member of this House—whether it be the honorable member for the Thames or not—to remember that, and not cast such accusations as he did—that every speech the honorable member makes, every remark he makes, and every effort he makes in this House shows his ignorance of this, and his ignorance of that, and his ignorance of the other. We might almost imagine the honorable gentleman was looking in the looking-glass when he made such statements. And this is statesmanship? When the country is running head over heels in debt, the people running head over heels in confusion, the Constitution pulled down, and lying scattered about in ruins, nothing inserted, nothing done, a session sitting four months; and now, when we have just begun the estimates, when the Counties Bill, in a mutilated form, has been passed through—a Bill which really does not affect the local self-government of the people in the slightest degree—the Premier takes it upon himself to tell other honorable members that they do not know anything about it, and that every discussion shows their ignorance. The assumption of wisdom is good no doubt very often; but I think it is very ill-placed on such an occasion as this. The suggestion that was made by the honorable member for Christchurch, Mr. Stevens, in relation to the Sinking Fund, is not, to my mind, so difficult a matter as that honorable gentleman seemed to consider it. The Sinking Fund, after all, is only a statutory assurance for the provision of the payment of certain money borrowed by this country within certain times; and I have not the slightest doubt that, without any breach of faith whatever, supposing the interest upon the money were paid, the sinking funds could be let fall altogether. The Hon. the Premier now laughs. It is refreshing sometimes to hear him laugh. It is refreshing in this way: that, whenever the honorable gentleman laughs, the members of this

House always know that he is not at all prepared with an argument. When he is prepared with an argument, or even when he is prepared with a species of political truculence, he assumes a peculiar style; but when he cannot use either one or the other, the honorable gentleman laughs. So that it is, to my mind, a very assuring sign when that honorable gentleman's features are pleasantly convulsed. We have not seen so much of it lately as we did at the beginning of the session—I will say that for the honorable gentleman; but it is always reassuring to anybody who is urging an argument. I say that the same law which made the Sinking Fund can unmake it. Exactly in the same way as if an income tax were placed by this House or by the Assembly—for we have got too much into the habit of thinking this House everything—on all incomes, it would take off a certain portion or percentage that we pay for the interest on our loans. Now, that would be exactly as great a breach of faith against the persons who, outside this country or within it, receive money as the interest on the money which they have lent to this country, as the doing away with the Sinking Fund would be. In fact, it would be a greater breach of faith in this sense: that it would immediately affect the people by taking so much money out of their pockets, by reducing the rate of interest which they received from 5 per cent. to $4\frac{1}{2}$ per cent., or something of that sort. Whereas, on the other hand, the doing away with the Sinking Fund—which, after all, is only a statutory assurance for the repayment of money after a certain fixed time—and providing other means for it, would not in the slightest degree either diminish the value of the debentures, or make them in the slightest degree less safe. I am not prepared to say myself, but I think the Treasurer, if he is asked, will assure this Committee that the debentures on which the Sinking Fund accrues have no further value in the market than the debentures bearing the same interest on which there are no sinking funds. If that be the case how can it possibly damage them? There can be no reason if, as I believe is the actual fact, the 5 per cent. debentures on which there are sinking funds are of exactly the same value as the 5 per cent. debentures on which there are no sinking funds. That is a most important item, inasmuch as the Sinking Fund itself is £110,000 a year, and the money which is paid for interest on the Sinking Fund on our own securities is another £70,000 or £80,000 a year. That represents a sum of £182,000 a year, which would have covered last year a great portion of the deficiency which was seen in the revenue. Well then, the necessity arises for retrenchment in some form or another. It is all very well for the Premier to say the Government will not be forced into retrenchment; if the majority of the House like—

Major ATKINSON.—I never said so at all.

Mr. REES.—I understood the honorable gentleman to say so.

Major ATKINSON.—Quite the reverse.

Mr. REES.—I would like to know what the honorable member did say?

Major ATKINSON.—I said I was not prepared

to agree that £100,000 should be taken off these estimates without consideration; that I was prepared to reduce them to the utmost limits consistent with the efficiency of the service, and that the House must trust me to do that if they desired that the public service should be carried on properly; but that I could not undertake to accept a reduction of £100,000 without due consideration.

Mr. REES.—I should like to know if that was what the honorable gentleman said? (Hear, hear.) Well, who asked the honorable gentleman to do that?

Major ATKINSON.—The honorable member for the Thames.

Mr. REES.—Not at all. The honorable member for the Thames did nothing of the sort. He never asked the honorable gentleman to strike off without consideration. I am astonished to hear the honorable gentleman say that the honorable member for the Thames ever asked him to strike off a penny without consideration. What he wanted was, that the Government should pay some little consideration to these things. That is what he wanted, and he said that with due consideration—especially if they called to their aid the honorable member for Waikouaiti, the new light on finance—the honorable gentleman did not apply the remark about the Commissioner of Customs: that was my interpolation—with due consideration, he believed, £100,000 could be struck off.

Mr. REYNOLDS.—Do it.

Mr. REES.—I am amused at the innocence of the honorable member who comes from Blueskin. "Do it," he says. Will the honorable gentleman support him? There is no "Hear, hear," to that.

Mr. REYNOLDS.—I will support him in reducing the estimates. The estimates are now before us, and it is for the Committee to reduce them as they think proper. Generally, I am prepared to support any honorable member who goes in for striking off unnecessary services.

Mr. REES.—When the very first item was proposed to be reduced last night, the honorable gentleman got up and was going to read about forty pages out of a book in support of the item.

Mr. REYNOLDS.—That was for a necessary service.

Mr. REES.—I do not say it was not for a necessary service. All I say is, that the fact remains, and I will be bound the honorable gentleman will do the same in reference to everything and say it is a necessary service. And yet the honorable gentleman, with a sort of stentorian "Hear, hear," when anything is said about Ministers and reductions, says, "There are the estimates; let them be reduced." Why, if a majority of the House say they are to be reduced they will be reduced. But who are the proper persons to reduce them and bring them to the House in a proper manner? Is the burden to be cast upon the House? Not at all. It is the Ministry who are responsible for the estimates. What are the Ministers for? Honorable members seem to have forgotten altogether the functions of the Ministers. The Ministers themselves seem to

have forgotten what are the functions of Ministers. They come here and say, "If the House likes to do this," and "If the House likes to do that;" "If the Committee likes to do this," and "If the Committee likes to do that." That is not the function of Ministers. Ministers should bring down their estimates to the House and say, "This is all we can do. If the House thinks something more can be done, let somebody else do it—we will not." That would be an independent statement. But I suppose nobody ever dreamed of getting an independent statement from such a Ministry. If they do they will find themselves wonderfully deceived. We have now heard a statement, to make which the honorable gentlemen have availed themselves of the assistance of all the clever persons in the House. The honorable member for Olive helped them. I was sorry to hear my honorable friend Sir Julius Vogel take a little rise out of that honorable member by saying that he was a most rising statesman, or something of that sort. The Ministry, if they require any financial help, can either go to the honorable member for Olive or the honorable member for Waikouaiti. The Ministers ought to see that the finances were brought down in such a shape that they could defend them, and could say, "This is all that can be done." But what is the duty of the Ministry in the face of a certain amount of revenue? It is to make the expenditure meet the revenue, and that they profess not to do. Why should it be on the Land Fund alone? And here I will remark for one moment upon the course which the Ministry have taken in relation to the Land Fund. It was said over and over again that the Land Fund would not be taken for public purposes—that the Land Fund was not to be touched—that the Land Fund was to be sacred, perfectly sacred, free from all unholy hands whatever. What is the state of affairs now? The Land Fund is nothing of the sort. In fact it is very evident that the whole of the Land Fund will very soon be taken away from the provinces altogether, whether they be rich or poor—the whole of it will be taken, and, to use an expression of the Superintendent of Otago, thrown into the maelström of colonial finance. Even the Ministers: what do they say? They say that the Land Fund will have to be pledged to the extent of £145,000 to carry on the business of the country. That amount is to be taken out beforehand. What will they do next year, with a falling revenue and increasing expenditure? We shall have to pay interest to an enormous extent. The interest on the Sinking Fund will amount to £1,200,000 before long. While the debt is going up, the income will be coming down. I suppose those honorable gentlemen will say, "The House must give us power to raise a little more money on Treasury bills." That is the finance of the honorable gentlemen, in the same way that the Counties Bill and the Financial Arrangements Bill are their constitutional measures. I think it is time that this House took the matter in hand. We all know that it is somewhat difficult, in the face of the present feeling of honorable members, and the pledges which they gave when they came up to this House—it

is somewhat difficult to compel honorable members to divest themselves of feeling and to examine things exactly as they are. In the interest of the country, in the interest of the constituents, in the interest of the public creditor, in the interest of every class in the community, because the payment of the public debt must be considered—even the large property-holders must pay heavy rates, if the mass of the people are not able to pay through the Customs—in the interest of every class in the community, it is quite time for this House to take the matter in hand, if the Ministry will not do so, and say the expenditure shall be made to fit with the income. Any one acquainted with speculations knows what it is to be plunged head over ears in difficulties through not making one's expenditure fit with one's income. They will know it by years of bitter suffering. The country will know exactly the same thing, for the affairs of the country are exactly like the affairs of a joint-stock company or an individual. Take, for instance, the case of an individual going largely into mining speculations. He spends a great deal of money, and gradually goes on spending until he gets beyond his means and goes beyond his depth; and if events do not turn out fortunately for him, what is the result? Why, ruin. Having spent years of suffering, he tries to get into a good position. It will be the same with this country, if we do not take care. The members of this House ought to take care. The fictitious prosperity abounding during the last few years cannot be taken as a criterion of what will be in years to come. Last year, we had a deficiency of £300,000 or £400,000. This year we shall have a greater deficiency, although the Land Fund is to be taken, except the £75,000 for Canterbury; but they will find that that will also be taken. Next year we shall have a still greater deficiency. I should like to know where or when it is going to end. If a man left his affairs in the hands of a trustee, and the trustee were to say to him, "I shall do the best I can, but I shall run you £300,000 or £400,000 in debt next year," would the owner of the property trust its management into his hands? No; he would say, "If you cannot make the expenditure fit with the income, then I will find some person who can." The honorable gentlemen on those benches say they will not do that. We want them to consider whether they cannot make greater reductions, not only in the Sinking Fund, but in the public expenditure. I am sure that the public expenditure could be reduced. It has been already hinted that the reductions should begin in the very highest quarters, among the Ministers themselves—that they should not begin in the lowest quarters, not with the tail-end—with those who have actually to make a struggle for the very bread they eat and the clothes they wear. Let us see whether reduction cannot be carried out in other quarters—whether we cannot begin with those who are able to spare something out of their luxuries or comforts—and, if necessary, let us impose additional taxation upon the country. If that is to come, and it must come sooner or later, why not meet it at once? It is all very

well to say that it is a distasteful thing. Of course, it is a distasteful thing. It is very pleasant to be able to spend millions of borrowed money; but it is not pleasant to pay the interest afterwards. If we have spent the money, let us begin now and endeavour to find the money to provide for its repayment. That is what the Ministry are wanted to do. I am sure the House would back them up in such a course. I am confident that the House and the country would support them. If they brought down a proposal for a property and income tax, I am confident that the country, and a large majority of this House, would carry them through with it. ("No.") I do not know who says "No;" I know the Opposition would. What is wanted is the consideration of this question. What is the use of passing the estimates, and to find when we meet next year that the country is £300,000 or £400,000 behindhand, besides the expenditure upon the public works? This will be so; I do not think honorable members can hide that from themselves. There will be an increasing burden to be met afterwards. If there should come upon us any commercial crisis, if there should come a monetary panic, if property decreased in value, it would come to this, that we should not be able to pay the interest on the borrowed money. It is clear that the affairs of the country must be carried on. However economically they are carried on, they cannot be carried on without a certain amount of expenditure. There will be an increasing amount of interest to pay; it will go on like snowballs, rapidly increasing as they roll on. It is better that we should face these things. If a European war should happen to break out; and if a time of great depression came upon this country, I do believe that we should find ourselves absolutely unable to pay the interest on the public debt. We cannot always expect to be in a prosperous position. I say, if Ministers, those great financiers can afford to taunt other people upon their ignorance of finance, if they simply, by a majority in this House, are able to occupy a position, let them show by their works and their acts that they are capable of holding such a position, and not be issuing Treasury bills to meet the exigencies of the moment. We shall have more Treasury bills next year, and the year after, until they will not be able to get any more bills discounted. The House, in terror and fear, will refuse them such authority, and then grinding taxation will have to take place in order to meet the demands of the public creditor. This is perfectly plain; every man can see it. I would ask even the warmest supporters of the Government to consider whether it is not better now to face it at once. Let Ministers determine to make a large reduction; let them determine to see if they cannot do something about the Sinking Fund. Let them, as the honorable member for Christchurch pointed out, if necessary bring down a proposal for increased taxation—a property or income tax—by which the interest on the Treasury bills, and the ever-increasing deficiency in the receipts as against expenditure, might, to a great extent, be met. Why, any man of ordinary ability can

understand that, and do it. Any three honorable members of this House could form such a plan as that, and I believe the majority of the House would carry it into effect. It is wrong to carry on a policy of continually borrowing to make up deficiencies. We shall have £150,000 Treasury bills to meet this account, and £150,000 of Treasury bills to meet another account. Every year the expenditure must increase, unless we devise and act on a scheme of retrenchment. The plan we are following can only lead to final disaster and financial ruin. It is a plan which can only lead to great distraction among the people and create a party class-feeling. The end of it will be this, that the great property-holders will begin to fear that the value of their properties will be largely decreased, and that enormous taxation will fall on them. The men who spoke in this way a year or two ago were called alarmists, or something of that sort. Those honorable gentlemen seem to fancy they are going to get out of their financial embarrassments by borrowing money on Treasury bills, the interest on which will have to be met. Why do they not stand up at once, like financiers and men, and meet this difficulty in the face? To increase our liabilities, to throw greater burdens on our shoulders in the future, is not the way to meet the difficulty. I would therefore ask, Sir, that they should take some time to consider this matter. If they say that their estimates cannot be reduced, then the House must consider whether they can be reduced or not. I hope, however strong supporters of the Government honorable gentlemen may be, they will, in the interest of every class, consider the questions of retrenchment, of additional taxation, and of the Sinking Fund. If retrenchment is not carried out during this session, it will not be carried out at all. Do you think that, if the estimates are passed for certain works, Ministers will then retrench? Is there anything to show that they will do so, and that they will not carry on the present extravagant expenditure? I hope the motion of the honorable member for the Thames will be agreed to.

Sir G. GREY.—Sir, the attack to which I was subjected must be present in the minds of honorable gentlemen; and I should not have noticed it but for the effect the statements made by the Premier might have upon the country. I was accused by him of being utterly ignorant of the finances of the country, and of having given no consideration whatever to the estimates. I was accused of that, Sir, and the accusation was made in the rudest manner—a manner not becoming the leader of this House, or the House itself. Now, I wish to tell honorable members, Sir, that when the gentleman who with such rudeness and ignorance spoke to me was in his cradle, or certainly in his early youth, I restored the finance of one great country which, by financiers like himself, had been involved in difficulties very much like those he has involved this country in. And not only that, but throughout my life I have had to attend to the finances of colonies. I have administered the Government of New Zealand for years upon the most moderate sums, at the

same time conducting the Government in the most efficient manner. I left it unburdened by any debt. I assisted its people to found that prosperity upon which the credit has been built up which has enabled that honorable gentleman and his friends to raise such great sums; and, with all that knowledge and that experience, I have most carefully considered the estimates brought forward by the Government. I appeal to the speeches which I made last session in this House, and ask honorable members whether every one of the predictions I then made has not been fulfilled. I assert that, so far from my having shown ignorance, the honorable gentleman himself has shown the most lamentable ignorance of the finance of the country, and he has always shrunk from allowing his finance to be investigated. Last session he put off the question of his finance until many members had gone away, and this session he has pursued the same course. I have not only considered this finance myself, but I have had the assistance of able men, who have, in the most courteous manner, given me their opinion upon it. Sir, not only myself but the honorable member for Christchurch (Mr. Stevens) also proposed that we should at once face the difficulty we had to meet. The honorable member for Akaroa, in point of fact, proposed the same thing, and such has been the general feeling. Now, Sir, my heart has been filled with concern at seeing the reckless waste of public money which the Colonial Treasurer has carried on. My heart has been filled with concern at seeing him squandering the public lands on his favourites; my heart has been filled with concern at seeing him tax unjustly Her Majesty's subjects in this country, and at seeing him save from taxation those classes who he thought would keep him in power. Sir, when I think of these things I feel what I can hardly describe. And now, when I see that he could, if he pleased, make reductions such as I speak of; when I see that he could restore speedily the prosperity of the country; when I see that he could relieve the producing classes by taking off them the taxes which unjustly press upon them; when I see that he could put taxes upon those friends of his who draw large incomes from this country and spend them elsewhere, then, Sir, I am determined to force my resolution on the House. I wish to bring him under the notice of the people whom he has so cruelly wronged, robbing them of their lands and property, and all to gratify his lust of power.

Motion for reporting progress negatived.

On the motion, That the item £31,065 2s. be agreed to,

Mr. MURRAY moved, That the item be reduced by £100.

Mr. REYNOLDS said that he believed this portion of the estimates was prepared by the Speaker, and the Government had, in reality, very little to do with it. As he understood the honorable member for Bruce was desirous of opposing all the additions under this head, he would move, as an amendment, That the item £1,250 for the Legislative Council be reduced by £250.

Mr. SWANSON thought a great deal of time

would be saved if the debates took place on the total amounts, and not on any individual amount.

Mr. MURRAY explained that he was not proposing a reduction, but merely opposing an increase being made.

Mr. REID hoped that the Committee would be consistent. If they were going to increase their honoraria on account of the length of the session, it would not be consistent for them to refuse to pass claims which were made on the same ground.

Mr. MONTGOMERY understood that the honorarium was kept at the same rate as last year.

Major ATKINSON said an increase had been decided upon, and it would appear on the supplementary estimates.

Sir G. GREY asked if the Government proposed to support the increase.

Major ATKINSON said the Government had undertaken to bring it down and would support it. He would point out, with regard to the salaries now being considered, that it was rather a delicate matter for the House to reduce what the other branch of the Legislature had determined, after careful consideration, was a fair remuneration for its officers. It was on the recommendation made by the Legislative Council that these salaries were brought down as they now appeared.

Mr. MURRAY could see no reason why the House should depart from the principle which it had laid down last year.

Item, Chairman of Committees, Legislative Council (addition to permanent salary, £300), £100, struck out.

Mr. REYNOLDS moved, That the item Clerk (addition to permanent salary, £400), £100, be struck out.

Agreed to.

Mr. REYNOLDS moved, That the item Clerk Assistant, £350, be reduced by £50.

Agreed to.

Mr. SWANSON moved, That the item Clerk of Parliaments (addition to permanent salary, £600), £100, be struck out. He did not see why an exception should be made in the officers of the other House. If this gentleman got £600 a year for the work he did in the House he had a thoroughly good job, for he was no longer in the House than he (Mr. Swanson) was, nor indeed so long, and had not to read through the same mass of Bills and papers?

Mr. ROLLESTON would point out that this officer had very important duties to perform, and his office was a very responsible one. The Clerk of the House had to read through all the Bills that came before the House, to learn their nature, and to advise Mr. Speaker on all technical points. It was a position of responsibility, and should be recognized as such. He did not believe in underpaying responsibility of this class connected with the Legislature. This officer's place could not be supplied by taking up any chance man, for it required long training to fit him for the position. The House would not treat a professional man in the way now proposed; and the Clerk's duties required just as much training to perform as any professional man went through.

Major ATKINSON thought the House would be making a great mistake if it reduced this salary. Great confusion in the business must ensue if there was not a competent officer in this position, and it was necessary to pay a sufficient salary to secure the services of such an officer. This was not a question of increase of salary, as the salary now proposed had been paid for years, and the circumstances of the colony were not such as to call for this reduction.

Mr. STAFFORD said that if the Committee was going to reduce salaries that had existed for years it should do so on some principle, and not pick out particular cases. He would point out that the duties of the Clerk did not end with the session, as he had a great deal to do afterwards in the preparation of the Journals and the Appendices. If the Committee thought the circumstances of the colony were such that salaries should be reduced, let them pass a resolution that all salaries above a certain amount should be reduced, and not select particular officers, which was a very invidious and unwise course to pursue.

Motion negatived.

Mr. REYNOLDS moved, That the item Expenses of Members of both Houses, £18,075, be reduced by £75. His object was to test the question whether the members of the Assembly living in Wellington should receive any honorarium. If this was payment of members, then 150 or 200 guineas was not sufficient; but if it was to defray the expenses of members while attending Parliament, then those residing in Wellington should not draw any honorarium. There were twelve members of the Houses residing in Wellington, and one within seven or eight miles of it. The practice, when the Assembly met in Auckland was, if he remembered rightly, that no members of Parliament residing within fifteen miles of the Parliament buildings received any honorarium. The present system was hardly fair to those honorable members who came from a considerable distance, and were put to considerable expense and inconvenience in attending in their places in Parliament. They should not be placed on the same footing as members who resided on the spot, and, having their own homes there, were not put to any expense. He moved this amendment so that if it were carried the Government might take it as an indication that the Committee did not think members resident in Wellington should receive any honorarium. It did not signify that he only moved a small reduction, because the Government were not bound to expend the whole sum voted unless they knew it was the wish of the House that they should do so.

Major ATKINSON said the Government could hardly take this amendment as an indication of the intention of the Committee, seeing that the House had, in a previous session, after careful inquiry by a Select Committee, passed a resolution directing what was to be done. Before the Government could act in the matter, the House must pass some resolution in relation to it.

Mr. REYNOLDS would point out that, before a resolution passed by a previous Parliament was of any value at the present time, it must be

re-passed by the present Parliament. This Parliament could pass any resolution it liked upon the subject, and it was only the Government who could bring down such a resolution. By testing the question in the way he proposed, it would be an indication to the Government that the House thought such a resolution should be brought down.

Mr. SWANSON said the best way to settle the difficulty would be to fix a radius, and decide that members residing within that radius should receive no honorarium or allowance. In Auckland, the Provincial Council fixed the radius at twenty miles.

Mr. ROLLESTON thought it would be a most invidious thing for the House to take upon itself to differentiate the amounts to be paid to honorable members. The expenses of one member might be greater than those of another; and he could quite conceive of circumstances which would justify the Wellington members in taking honoraria as well as other honorable members.

Mr. REID said that when the proposal to pay the Wellington members was brought forward it was treated as payment of members; but if they were going to retrace their steps, he would suggest that no allowance should be paid to members who resided within two miles of the House. It would be unreasonable to expect members to go five miles without receiving an allowance; but if the sum were not regarded as payment of members, he saw no reason why the Wellington members should receive it.

Mr. REES thought there was a good deal of reason in what had fallen from the honorable member for Port Chalmers and the honorable member for Taieri. If the sum was to be looked upon as payment of members, there could be no objection to all members receiving it. He had been in favour of payment of members for years; but if the sum paid was to be looked upon as an honorary gift, those members who lived in Wellington, and were put to no great loss of time in attending the House, should not be allowed to receive it. As a matter of fact, the Wellington members were the worst attenders in the House; with one or two exceptions they were very irregular, and spent a little time in the House just as other members might do in the Town Councils of their respective towns. They had no claim whatever, unless the sum were to be paid simply and solely as payment of members.

Mr. ROLLESTON said he would be sorry to see the idea of the honorable gentleman acted upon. His argument in favour of the honorarium was, that it presented an opening to all classes to become members of the House. If a working man were elected to a seat in that House, he would of course have to give up his business, and must be remunerated in some way. Then, again, it was evident that members residing in Wellington would find it impossible to attend to their business if they were at all attentive to their parliamentary duties.

Mr. BURNS said he had heard a great deal of abuse levelled at the Provincial Councils this session; but there was one very good practice

which might be copied from them with advantage; and that was that members residing within a certain radius should not receive any honorarium. If they were going to debate the principle of payment of members, the whole question would have to be considered; but as this was a matter of reimbursing members for expenses incurred, he thought the plan adopted by the Provincial Council of Otago was a very good one. To carry out that idea, he would move, That the item, Expenses of Members of both Houses, be reduced by £2,075; and he would at the same time give notice that it was his intention to move that the expenses of members be limited to 20s. a day from the opening of the session to its close, such sum to be paid only to such members as attended in their places in the House.

Mr. REES said that the remarks of the honorable member for Avon pointed not so much to honoraria as to the payment of members when he said that, if the Wellington members did not receive the honorarium, a working man might be debarred from coming into the House. That principle would apply all over the colony. There were many working men—not working, in the usual acceptation of the term—who would be glad, if they knew they would receive sufficient to compensate them for loss of time, to become members of the House. The House would have to pass a resolution in favour of payment of members before very long; and, if they did so, it would widen the range from which they then would get representative men. There were young men of intelligence who would not come here, knowing they had nothing to depend upon, for they would not come here to make a trade of politics. If the honorable member for Avon supported that view, he was entirely at one with him.

Mr. SWANSON said he believed the Speaker had it in his power to make advances on account of the honorarium as the session went on. If honorable members have been allowed to draw money from the Speaker, would he be expected to get it back from them again? If they made any change, it should apply to the future. As to the question of it being payment of members or honorarium, he thought 150 guineas looked very much the same in a man's hand whether they called it honorarium or payment. It was simply the difference between tweedledum and tweedledee. £300 or £400 would not pay some members for their time, while £150 would be a great deal too much for others. In the Auckland Provincial Council, one of the best members was a working man, who attended the meetings after he had done his work, and he received no honorarium.

Mr. MURRAY-AYNSLEY thought they ought to pass a resolution applying to the next session either for the payment of so much a day or for an amount for the session. It would be very hard at the end of the session to take away that which people had calculated upon. He would support any resolution fixing the honorarium for the future.

Mr. HUNTER did not wish to refer to the issue which was before the House; but he de-

sired to say that the statement that the Wellington members did not attend to their duties was without foundation on fact. He might say he and his colleague, who, he regretted to say, had been ill lately, attended regularly. Mr. Speaker was a Wellington member, and Mr. Bunny attended regularly. The statement made by honorable members was not borne out by fact.

Mr. BURNS hoped the honorable gentleman would not think he had said anything disrespectful to the Wellington members. He wished to lay down the broad principle that members were only to be recouped for any extra expense they were put to. Honorable members on all sides of the House were talking of reductions, but it would be useless to expect that reductions would be made if they did not begin with themselves. He wished most sincerely to put that view before the House; because honorable members should make even some little sacrifice if necessary, rather than that the estimates should go forth to the public with other reductions made, and nothing out of their own honorarium.

Mr. SHRIMSKI was as independent as any member of the House, and it made very little difference to him whether he got a fraction or a pound. He could not understand how those honorable gentlemen who are so much in favour of a reduction in the honorarium were generally the very first to go to the Treasury and get their money. It would be far better if they left it there. There were many men in the House who could not afford to come here without receiving something, for Wellington was an expensive place to live in. This was the harvest for the Wellington people; and when honorable members came here they were pretty well fleeced.

Mr. MOORHOUSE said honorable members who objected to the honorarium on principle might leave the money in the Treasury. He recollected one distinguished member of the Legislature who used to make an annual motion for the reduction of the honorarium, which was really a payment. On one occasion, after making his usual protest against the payment of members, he was delayed in starting from the place where Parliament met, and, having received all that the Legislature provided for his expenses, he made a demand to the Treasury through the proper channel for payment for the day during which he had been detained. It would be better to dispense with the humbug attaching to this matter. It was manifest to a good many that certain honorable members made an actual profit out of their attendance here, and he recollected that one honorable member classed his honorarium as one of his assets, together with his cows, pigs, and poultry; and that honorable gentleman, who came from a remote part of the colony, had now to depend upon his cows, &c., without any honorarium. It was a right and truthful thing to call what they received "payment." He confessed for himself that when he made his arrangements for seeking a seat in the House, being a man of very small means indeed, he set off against his general expenses the circumstance that he was to receive so much for his services in Parliament; and he would not be prepared to submit to the displace-

ment of that amount without some feeling of disappointment. Those honorable gentlemen who wished to make capital by disclaiming against the iniquity of receiving payment for honest service, could make much more capital by declining to attend the Treasury to receive the money.

Mr. SWANSON said that if there was a man of that sort he would set him down as a regular blockhead. There were several members who would vote to do away with the honorarium altogether, and who would vote to prevent any increase, but who, so long as the honorarium was paid, would continue to receive it. If they did not draw the money, it would be spread all over the colony; so they preferred to take it to their own districts, and use it in the places they came from. He knew several members who did not spend a penny of the honorarium upon themselves.

Sir G. GREY was one of those who thought that members should be paid for their attendance in Parliament. In no other way was it possible to secure fair representation. He had not yet been able to get sufficient information to satisfy himself as to what was the necessary sum members should be paid to induce proper representatives to come to the House. It was with delight that he heard the honorable member for Newton describe the appearance in the Auckland Provincial Council of a real working man. He thought such men might be able to attend the Provincial Council without being paid, but it was impossible they could come to Wellington without receiving something to pay for their expenses. It was with great regret that he found, the moment some reduction was attempted, the Government at once declared their aversion to such a reduction being made. A double question here arose—namely, the payment of members of the Legislative Council and the payment of members of the House of Representatives. He submitted that it was questionable, under all the circumstances, whether the same sums should be paid to a member of the Legislature who resided in Wellington and to a member who was brought from a remote district in the colony. The same remark applied equally to each House. He did not think any payment was necessary to gentlemen who resided in Wellington. They should remember that a Minister could nominate as many members as he pleased to the Legislative Council, and, in point of fact, it could become a practice that a Minister could confer pensions upon particular individuals if the present system of honorarium were continued. He found there were no less than six members of the Upper House who were inhabitants of the city of Wellington, and that was an undue number, being one-seventh of the whole House. Considering the important measures that had recently been thrown out, he thought that was a state of things which should not be allowed to go on. It might serve to remedy it if the members of the Council residing in Wellington received no honorarium. When he recollected that a Bill for reducing the gold duty had been thrown out in the Legislative Council, and how large a power the Wellington members must have exercised in that action, and

when he remembered that Wellington was not a gold district, he thought it was a wrong to the mining population of the colony that such a state of things should be allowed, and his earnest advice was that Ministers should be required to bring down a series of resolutions by which this payment to members residing in Wellington should stop; and if they were averse to such a resolution, they should go out of office and let other men come in.

Mr. STAFFORD said the argument of the honorable member for the Thames was a most extraordinary one. He protested against six members of the Upper House residing in or near Wellington, and he gave as a reason the influence they had over certain Bills. If they were not going to pay members of the Upper House, it would be found that nearly all the members of the Council would be from Wellington, and that very power which the honorable gentleman appeared to object to would be increased. When in office, he had found that as a fact there were as many refusals to accept seats in the Council as there were acceptances.

Mr. REID thought that the honorable member had not properly interpreted the argument of the honorable member for the Thames, who suggested that, with the view of remedying the present state of things, of which he complained, the honorarium to members residing in Wellington should cease, because it might not then be so easy to get Wellington members into the Council.

Mr. HURSTHOUSE would take that opportunity to record his protest against the proposed increase. He was a representative of a class of people in the country, and he thought that, without exception, he was the only man of the House who could properly be called a working man, as he received wages for his work, and literally earned his bread by the sweat of his brow. He was prepared to say that 150 guineas was quite sufficient to defray a member's ordinary expenses in Wellington, provided the session did not last more than four months. If, however, the sessions were of five or six months' duration, he was inclined to think it would be a question whether the honorarium should not be abolished and payment of members substituted. He was sure that, whatever might be a member's avocation, whether he was of the legal profession, engaged in mercantile pursuits, or was a farmer or a labouring man, he could not be absent from his home for a period of six months without receiving something to cover his expenses. He did not wish to make political capital out of his opposition to the increase to the honorarium. He told his constituents he could not come to Parliament unless he was paid, and he told them he would not come for the sake of the pay. There seemed to be a diversity of opinion as to the wants of members during their stay in Wellington. Some honorable members had told him that the proposed honorarium of £200 was not sufficient to defray their ordinary expenses. That was a statement which he could hardly reconcile to his mind. That amount was quite sufficient for his wants; it was more than sufficient. He

would take that opportunity of entering his protest against the increase of the honorarium. He would support a reduction to one guinea a day. He might state, in reply to the honorable member for the Thames, that he had a wife and family to support at home, and still he considered the amount mentioned sufficient.

Mr. ROWE did not think this was the right time to discuss the question of honorarium. It had already been discussed, and there would be another opportunity of discussing it when the supplementary estimates were brought down. If the honorarium was to be continued in future sessions, he thought the members representing Wellington should not receive it. For many years he left his work to attend the Auckland Provincial Council without receiving any payment whatever. Notwithstanding what had been said by the honorable member for Wellington City, the impression on his mind was that the Wellington members did not attend the sittings of the House very regularly. He thought it would be well that the honorarium should remain unaltered for the present session, but he hoped some understanding would be come to that, in future, those members living within two or three miles of the city would not receive the honorarium.

Question put, "That the item be reduced by £2,075;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	38
Majority against ...					17

AYES.

Mr. Baigent,
Sir G. Grey,
Mr. Hursthouse,
Mr. Kennedy,
Mr. Macfarlane,
Mr. Montgomery,
Mr. Murray,
Mr. Rees,
Mr. Reid,

Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Wakefield,
Mr. Wason.

Tellers.

Mr. Burns,
Mr. Reynolds.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. J. C. Brown,
Mr. De Lautour,
Mr. Dignan,
Sir R. Douglas,
Mr. Fisher,
Mr. Fitzherbert,
Mr. Gibbs,
Mr. Hamlin,
Mr. Henry,
Mr. Joyce,
Mr. Kelly,
Mr. Larnach,
Mr. Lumsden,
Mr. G. McLean,

Mr. Murray-Aynaley,
Mr. Pyke,
Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Sheehan,
Mr. Shrimski,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Thomson,
Mr. Tole,
Mr. Whitaker,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Hialop,
Mr. Moorhouse.

The amendment was consequently negatived.

Sir G. GREY would now move another amendment, in order that it might be shown what the real intention of the House was. There were

twelve members of the Assembly who resided in Wellington, and received £100 each as honorarium. He would move, That the total amount be reduced by the sum of £1,200.

Mr. REYNOLDS said he understood that some honorable members were under the impression that, by this vote, they would be fixing the honorarium. But that was not the case. The vote was simply intended to decide whether or not those members of both Houses who resided in the city of Wellington should receive any honorarium at all. There were at present twelve members of the Parliament residing in the city of Wellington, and they would receive honoraria just the same as those who came from distant parts of the colony.

Mr. GIBBS said the Committee seemed to be discussing the principle of whether members should be paid for their services, or whether they should be paid only their expenses. If it were simply a question of payment of expenses, then those members who resided in Wellington should not be paid, because their expenses could not be anything like so heavy as those of the honorable gentlemen who had to leave their homes in the distant parts of the colony. The question of how much members should receive was one which the House had settled, and the amount might as well at once be called payment. Some members said that £100 would pay all their expenses, while others affirmed that double that amount did not cover theirs. He thought that members should receive all their expenses, so that, at any rate, they would be nothing out of pocket. At the same time, if they were to take any more than their expenses, he did not see why the Wellington members should not receive such extra amount as well as the others. He would vote against the amendment of the honorable member for the Thames.

Amendment negatived.

Mr. SWANSON asked what was the duty of the Examiner of Standing Orders, whose salary was put down at £50?

Major ATKINSON said that this officer had to see whether the private Bills came within the Standing Orders.

Mr. SWANSON did not think the House wanted anybody to tell them what was or was not a private Bill.

Mr. REYNOLDS would like to know whether the officer in question only received £50 a year.

Major ATKINSON said it was proposed to place £300 on the supplementary estimates for him, and then his salary would be £250.

Mr. SWANSON said he did not object to the person who held the office, but to the office itself. He considered the office a great sham, and the sooner the House got rid of it the better. In short, the office was a great impediment to the conduct of business. He moved, That the item be struck out.

Mr. BURNS would draw the attention of the Government to the importance of getting rid of the office. He was in the House, he believed, when the office was created, and the idea was, by means of the fees arising from the office, to form the nucleus of a library fund. But they had a very good library now, and he thought the office

might very well be got rid of. He agreed that it was an impediment to business; and, now that the provinces were abolished, there would be a greater number of Bills than ever brought before the House, and they should not be impeded in their progress through Parliament. All private Bills should be referred to a Select Committee, which could take evidence if necessary, and therefore he did not see the necessity for the office.

Mr. MOORHOUSE did not think this office should be done away with, because it saved a great deal of trouble. The officer's chief duty was to see whether all the regulations had been complied with before private Bills were brought under the consideration of the House.

Major ATKINSON might explain that the Examiner of Standing Orders was appointed by the Speakers of the two Houses.

Mr. WASON asked whether the officer, who only got £50 last year, was to get £250 this year?

Major ATKINSON replied that that was the state of the case.

Mr. W. WOOD would like to know whether the Harbour Board Bills had been examined by this officer before they came into the House? and, if so, why was there so much delay before they were reported on? Was it that he had not examined them, or that, having examined them, he had kept back the information he had with respect to them until so late a period of the session that they could not pass?

Major ATKINSON said the honorable member could not have read the Standing Orders, or he would not have asked such a question. The Harbour Bills had been brought in by honorable members, who were bound themselves to accept the responsibility of the Bills being dealt with as private Bills or otherwise. There were, on the other hand, Standing Orders which provided that the private property of individuals should not be dealt with by the House without the persons affected having an opportunity of being heard in their own interest by the House. A private Bill, as such, had to be introduced by petition, which had to go through the office of this officer. Upon receipt of that petition, he had to see that proper notice was given, and to report whether the Standing Orders had been complied with.

Mr. SHEEHAN said this office had become more necessary now, under the new county system of government, than it had ever been before, for there would now be such a number of Bills of this kind that it would be impossible for the House to deal with them unless they had been previously examined. Whatever arguments might have been used against the existence of the office in past days, those arguments would no longer hold good.

Mr. SWANSON said the Standing Orders provided for the appointment of a joint Select Committee of the two Houses on private Bills; and he apprehended the members of that Committee would know which were private Bills, and which were not, without the assistance of this officer. Mr. Speaker, when he saw the Harbour Board Bills, very soon found out that they were private Bills, and he thought other honorable members

could do the same. If the House was going in for economy, this was a very good opportunity for displaying it. This office was established to raise money for a special purpose, and that purpose had been accomplished, and they might now very well do away with the office. His experience of the office was that it was an unmixed nuisance, and that it sometimes led to wrong being done. If it had not been for the existence of the telegraph in the case to which he referred, the Bill would have been thrown out. It is now law.

Mr. BOWEN said the Committee ought to be very careful as to what it did with regard to this department. The Harbour Bills to which the honorable member for Newton referred were of a doubtful character—that is, doubtful as to whether they were public or private, and those were the Bills Mr. Speaker dealt with. But there were other Bills brought in avowedly as private Bills; and if this office was swept away, it would be impossible to introduce such Bills at all in conformity with the Standing Orders. In all Houses of Assembly, machinery similar to ours was provided for the introduction of private Bills, and for the investigation and consideration of the evidence brought forward by the promoters. It was necessary, for the protection of private interests, that Bills interfering with private property should be dealt with in an exceptional manner.

Mr. BURNS thought the Minister of Justice was scarcely stating the case fairly. The fact was that the office was first created, and then the Standing Orders were passed to fit it; whereas the honorable gentleman was trying to show that it was just the reverse. If the honorable member would look back to the proceedings of the House some ten or eleven years ago, he would see that this office was constituted in order that the fees arising from it might go to the library. That being the case, the sooner the office was got rid of the better.

Major ATKINSON said the honorable member was entirely mistaken. The office was first created, and then it was decided that the fees should be devoted to the library. Standing Orders which were founded on those of the Imperial Parliament were adopted for the protection of the inhabitants of New Zealand. They provided a machinery by which, if a private person or corporation wished to bring in a Bill affecting the private property of individuals, they were bound to give proper notice to those individuals. This officer had to see that the proper notice was given, so that the persons affected could appear before the House, and be heard in their own behalf. It might not be the best way to deal with private Bills; but the House was bound to prevent the property of private individuals being affected without their receiving due notice. Under the Standing Orders, this office must be kept up until some other provision was made.

Mr. BOWEN must again point out that this office was absolutely necessary, as business was now carried on. He was given to understand that the process of dealing with private Bills by the Parliament of New Zealand was less complex

and expensive than that in force in any other House of Parliament. The fees had also been very much reduced, having been lowered from £70 or £80 to £25.

Mr. GIBBS said it was necessary that this £50 should be voted, if only to pay the clerk of the office. He would, however, like to ask whether the fees collected and charges made would not cover all the expenses of the office. If that were the case it would not be necessary for the House to pass special votes for the office.

Mr. RICHARDSON pointed out that the Standing Orders said that the fees should go to the library.

Mr. BURNS would like to know when those Standing Orders were passed. If it was in 1865, they were simply passed to bolster up this office. He could very well recollect the discussion upon this subject. He might add that a great many Bills were brought into the House which should have passed as public Bills, but which were sent to this office, and, after costing a great deal of money, were declared to be private Bills. The honorable member for Port Chalmers would bear him out in saying that such was the case. The sooner the office was done away with the better, and let all Bills be introduced into the House directly and dealt with on their merits.

Mr. RICHARDSON said the average of private Bills introduced during the last five or six years was only four.

Mr. BURNS said a most expensive Bill was introduced in the year after this office was first established.

Major ATKINSON said the office was not constituted until 1871. Up to that time there was only a clerk in the office: the Chairman of Committees did all the work, and the Standing Orders were much more voluminous than they were at present.

Mr. BURNS said the honorable member for Port Chalmers would bear him out in saying that in 1866 they introduced a Bill, which was referred to this office, and which cost £800 before it was finished with. He was sure the Premier was wrong. There was a Private Bill Office established in 1865, and honorable members who were in this House in that and the following year would remember the very great expense and trouble the then honorable member for Coleridge had in getting a Bill of his passed.

Sir G. GREY wished to remark that, if the Minister for Justice and the Minister for Public Works were correct in stating that only four private Bills had gone through the House during the last four years, that would mean that the public had had to pay £100 for each Bill.

Mr. RICHARDSON explained that four Bills was the average per year for the last four years.

Mr. REYNOLDS said that if that were the case, there surely was no necessity for paying £200 or £250 a year for such a small amount of work. There were three Parliamentary Clerks, and surely one of them could perform all the duties of this office. The Government ought to set their faces against such a vote.

Mr. WAKEFIELD thought those honorable gentlemen who opposed the vote had very good

grounds for doing so. There was no department which gave so little satisfaction and created so much discontent. He would certainly support the motion for striking out the vote.

Mr. J. C. BROWN said the work for this year had already been done, and, as the amount was only £50, he hoped the Committee would pass the vote without further waste of time.

Mr. PEARCE said he had been a member of the Committee of Selection for a number of years, and in that capacity had been brought into contact with this officer, who threw an amount of zeal into his duties that was very commendable. It was absolutely necessary that some officer should perform those duties, and they could not be better attended to than they were at present.

Mr. SWANSON looked upon the office as a great nuisance. It was not so much the £50 or the bother that he objected to, but severe pressure was absolutely brought to bear upon any one who had charge of a private Bill, to compel him to employ a parliamentary agent, who charged about £100 for his services, and did nothing more than ear-wig and lobby members to induce them to pass the Bill. He looked upon the office as an unmixed nuisance, and a means of extorting money from the public. There were officers in the House who could very well perform these duties, and he would strongly support the motion to strike out the vote.

Question put, "That the item, 'Examiner of Standing Orders, £50,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	24

AYES.

Mr. Ballance,
Mr. Bryce,
Mr. De Lautour,
Mr. Fisher,
Sir G. Grey,
Mr. Henry,
Mr. Hislop,
Mr. Kennedy,
Mr. Lusk,
Mr. Macfarlane,
Mr. Montgomery,
Mr. Murray,
Mr. Murray-Aynsley,

Mr. Rees,
Mr. Reynolds,
Mr. Rowe,
Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Tole,
Mr. Wason,
Mr. W. Wood.

Tellers.

Mr. Burns,
Mr. Wakefield.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. J. C. Brown,
Sir R. Douglas,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Larnach,
Mr. Lumsden,
Mr. G. McLean,

Mr. Moorhouse,
Mr. Pyke,
Mr. Richardson,
Mr. Rolleston,
Mr. Tawiti,
Mr. Techemaker,
Mr. Thomson,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Pearce,
Mr. Sheehan.

The CHAIRMAN said he believed it was absolutely necessary, as long as they had private Bills

passing through the House, to have such an officer. He would therefore give his vote with the Noes, in order that this officer should be retained.

The motion was consequently negatived.

Mr. WASON moved, That the item "Library, £600," be reduced by £400. He thought this department might fairly be assisted by members themselves. He thought it would be a very fair thing if a subscription were paid by members using the library. He did not see why the country should be called upon to support such an institution, any more than it should be called upon to support Bellamy's. He did not see why something should not be deducted from the honorarium to support this institution.

Sir G. GREY asked the Government whether they would bring down, in the supplementary estimates, an increase of £25 in the salary of the Assistant-Librarian. He was sure the present salary of £146 was inadequate.

Major ATKINSON said the salary was no doubt very small, and the Government would take the matter into consideration.

Mr. WAKEFIELD thought it would be a great pity to strike out any sum put down for the library. He thought that library would be the nucleus of a great national library. In that library they had an institution of which the whole colony ought to feel proud.

Mr. STEVENS asked in what direction the vote of £600 was to be expended? Was it for the purchase of books?

Major ATKINSON said it would be placed at the disposal of the Library Committee.

Mr. ANDREW disagreed with the honorable member for Coleridge. He thought there was a wide difference between voting money for Bellamy's and voting money for the library. The food supplied in Bellamy's became mere waste, while the food to their minds supplied by the library remained for ever. Besides, if matters became so bad as was anticipated, and they had to realize their assets, he thought they could realize something upon the library, while they certainly would not be able to realize anything upon what was supplied at Bellamy's.

Mr. BURNS found that a great many books were missing from the library. He thought that was a fair subject for consideration. Was the library intended solely for the use of members, or had anybody outside the members or officers of the House a right to use the library? There were a great many books missing at present. There was no record of them to be found in the library. Members ought to know who had the right to take books out in addition to members of the Assembly.

Mr. MACFARLANE had seen books from the library in private houses in Wellington, and he wondered how they came there. He hoped the Librarian would pay attention to this matter.

Mr. WASON must object to the vote for the library, because it was in the nature of a perquisite to honorable members; and on that account it was most objectionable. If members were not paid sufficiently, let them increase the honorarium. If the institution partook of the nature of a public library, it ought to be open to the public free.

He could not see why members should enjoy an exclusive privilege of this sort at the expense of the country. Some honorable members appeared to think that a reduction of £400 was too great, and he would be willing to accept a reduction of £300. It would not be an unfair thing to ask honorable members to subscribe something to the library, and in that case they would pay more careful attention to the books than they did now, and would take more interest in the library.

Sir R. DOUGLAS thought honorable members had better advocate a clean sweep. Let them go in for the whole thing, and not for trifles. Let them sit upon chairs or upon nothing at all; and let them conduct their proceedings in the old fashion, when people were summoned to meet together by the sound of a horn.

Mr. SHEEHAN said that, if the proposal to reduce the library vote had come from the democratic revolutionary mob of Otago or Auckland, he would not have been surprised; but why a member from the aristocratic, learned, and polite Province of Canterbury should make such a Jack Cade motion as this, he could not understand. He could only suppose the honorable member was in jest.

Mr. SWANSON drew the attention of the Committee to the fact that some rare and valuable books had been missing from the library for a long time, and the Librarian could not obtain any trace of them. He thought it advisable that members should be allowed to take books home with them, giving security for their return; but under the present rules that could not be done. In the Province of Auckland, members of the Provincial Council used to take books home with them. Too much money was, he thought, spent in buying novels and light reading; and it should be an instruction to the Committee only to spend the money upon books of real use.

Mr. REES would support the proposal to reduce the vote by £300. He thought they did not want to expend so large a sum as £600 in twelve months, unless there were some special additions to the works members desired to get, which might cost a large sum of money. He understood this vote would be supplemented from fees for private Bills. He had no wish to go in for abolishing the library, or to make members pay for it, but he thought there was something in the suggestion the honorable member for Newton made with respect to the class of books which were purchased. It would be desirable to obtain such books as would be of use to honorable members for matters of reference, and in preparing them to discharge their legislative duties.

Mr. WASON would inform the honorable member for Rodney that he was perfectly serious in making the proposal he did. He would refer to the fact that during the recess certain people in Wellington had the right to take out books without paying any subscription whatever, and he did not understand upon what principle of justice that could be done. In all the small libraries in Canterbury, people had to pay something for the privilege of taking out books, if they had not the library to go to.

Sir G. GREY hoped the vote would not be reduced. A national library ought to be established in New Zealand. He quite thought that during the recess people should not be allowed to take books out of the library, but they might be allowed to read them there.

Mr. SHEEHAN was sorry that the honorable member for Coleridge had not mooted the matter in jest, because the reasons given by the honorable member for reducing the vote were most illogical. If the library were abolished it would be found that there would be a difficulty, in keeping a House, for members would not attend for five or six months.

Mr. ROLLESTON believed that very few people indeed took books out of the library during the recess under the new regulations. Permission was given to read the books in the library.

Sir G. GREY thought that £600 was not too much. It was essential that they should go on collecting books. Books which were now common would in centuries to come be great curiosities. A few good books would cost £600. For instance, a copy of the first Shakespeare could not be purchased under £750. It might be said to be only a curiosity, but, after all, the English race would always feel pride on looking at the original of this great author's productions. The spelling would also be of great interest for years to come.

Mr. BURNS explained that he had no objection to any persons in Wellington using the library, but thought the practice of not returning books should if possible be put a stop to. He believed members themselves were in this respect chiefly to blame.

Major ATKINSON said the Government could hardly consent to the vote for Bellamy's being omitted this session, as expenses had been already incurred under it, the Steward having been paid his salary. He himself objected to see the item on the estimates, and it was not the intention of the Government to place any sum on the estimates next year.

Mr. MURRAY said he would withdraw his amendment if he understood the Steward was to be discharged as soon as the session was over.

Major ATKINSON said he could not give that promise, as it was probable the Steward would be kept on as housekeeper, or in some other capacity.

Mr. ROLLESTON was glad this item would not again appear on the estimates, as it was not very creditable. At the same time, he wished to explain that it was a mistake to suppose that the vote went to provide dinners, or otherwise than in furnishing the necessary crockery and plate. He thought the Bellamy's Committee was too large, and that it would be more satisfactory if it were arranged by a Committee of seven, to be divided into three Sub-committees, each having special functions. He thought the establishment should be self-supporting.

Mr. W. WOOD said that, as he had been informed that the vote was to meet expenses already incurred, he would ask leave to withdraw his amendment.

Amendment by leave withdrawn.

Item as reduced, £30,806 2s., agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at half-past two o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 11th October, 1876.

Crown Redress Bill—Rabbit Nuisance Bill—Counties Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

CROWN REDRESS BILL.

The Hon. Mr. MANTELL, in moving the second reading of this Bill, said he would endeavour to trespass as briefly as possible on the time of the Council, for the reason that it was to be hoped they were now approaching too late a period of the session to allow of such time for the consideration of an important measure like this as it deserved, and such time as it would require in order to pass it in a state in which it would give effect to the desires of those on whose motion it was introduced. The Council was well aware that a great wrong had been inflicted upon a certain body of Her Majesty's subjects in New Zealand—the Natives of the Middle Island—in matters connected with the acquisition of their lands by the Crown in former years. When he spoke of the acquisition of their lands by the Crown, of course he meant the cession of them to the New Zealand Company. Efforts had been made from time to time, during many sessions, to get this wrong remedied. But at last the Natives, left to their own resources, had employed European draftsmen to prepare a measure by which the claims which they believed themselves to have against the Crown should be capable of being heard before the Supreme Court and the Court of Appeal. It was in accordance with instructions received from the Natives interested that "The Crown Redress Act, 1871," which he held in his hand, was drafted by an eminent firm of solicitors in Dunedin. The wrongs to which he referred were simply these: He would only take one class, in order not to protract discussion. He would simply take the question regarding the cession of the Ngaitahu Block, of some 20,000,000 acres, to the Crown. The negotiations for the purchase of that block were commenced by Mr. Kemp, under instructions from the Governor, in 1848. A deed was drawn out by that gentleman and signed by some of the Natives. Mr. Kemp did not obey his instructions, which were to visit the block and arrange with the Natives for their consent, and to see that reserves were laid out for them. He neglected those instructions. He did not set foot upon the block, but had interviews with the Natives at two places situated outside the limits of the block; and at one of those places a deed was signed purporting to convey the whole of those lands to Her Majesty. Now, to this deed the great majority of the Natives concerned were not parties. When the deed was

brought to Wellington, it was submitted to the Law Officers of the Crown, and declared not to be worth the parchment upon which it was written. Later in that year, the Government, wishing that so important a negotiation should not fall through altogether, despatched another officer to induce the Natives who had not been consulted to come in under the terms of the deed, which had been signed by some of the Natives at the request of Mr. Kemp. Seeing that half of the money payable under the deed had already been distributed to other people, without the Natives whose signatures were required having been consulted, special means had to be adopted to induce them to become parties to the cession, and the officer negotiating the transaction informed the Natives that, after all, the money consideration was by no means the main consideration—that the real compensation for the cession of their territory would be in the erection of schools for the instruction of their children, the appointment of medical officers to attend upon them when sick, and the appointment also of other officers to look after their interests generally, and to see that in their closer relations with the Europeans they were not unduly imposed upon. The officer had to utter these promises before he could persuade the Natives that they would be justified in giving up their lands and signing a deed as to which they had never been consulted. The rest of the proceedings for the purchase were, on that understanding, conducted peaceably enough to a close. The last instalment of the purchase money was paid, and the Crown stepped into possession of the block, which extended on the East Coast from Kaiapoi down to Kaiheku, at the back of the Molyneux, and on the west side of the island from Cape Foulwind down to Milford Haven. From that time to the present, no efficient steps—no steps worthy of the Crown in whose name the promises were made—had been taken to redeem those promises. The consequence was, that a whole generation, or, he might say, a generation and a half, of the people who were entitled to education and the other minor benefits promised, had grown up in ignorance even of our language, and no more capable of looking after their own interests than they were before. Of course it was impossible to assess at any money value fair compensation for a wrong like that. Other promises made to the Natives referred to another purchase—that of the Otaihu Block, of 400,000 acres. That purchase was made by the New Zealand Company, by the waiver of the Crown's right of pre-emption; and, in accordance with the system of purchase which the Crown had insisted upon, the Company adhering to in all its purchases, one-tenth of the surveyed lands was to be appropriated to the Natives. At the request of the agent of the company, the officer employed by the Government abstained from entering this specially in the deed of cession to the company, and, of course, the promises were never fulfilled. For these and for other reasons the Natives desired permission to plead in the Courts of the colony; but in the present state of the law, as they were advised, they had no standing before

the Courts. The object of this Bill, therefore, was to give them that position. He had read the Bill carefully, but, being only a layman, he did not profess to be able to judge whether it would or would not give them the status they desired, or put them in a position to plead. On the contrary, he thought that, inasmuch as the 20th clause made, after all, a political body the body which was to decide whether or not they would get any compensation awarded to them, the Bill would not be likely to give the Natives the position they desired, and, consequently, he thought it would be very much better that the subject should be carefully considered by a Select Committee of the Council, and a Bill prepared which would give the Natives what they really desired. It would be an advantage to adopt that course, because he did not think that any Government had of late years held office which would not—or the individual members of which would not—gladly do everything in their power to remedy this wrong. But, at the same time, they must not shut their eyes to this fact, that it would be impossible for a Government which would really recognize the claims of these Natives to hope to carry a measure which would result in giving them by Act of Parliament a fair and reasonable compensation for their wrongs. It was only by the award of a judicial Court that they could hope to get this remedy. No man could face his constituents with a prospect of re-election who would be a party to doing justice in this case. He said that deliberately. He was prepared for severe remarks to be made in consequence of that statement; but, nevertheless, he believed that no Government could hold office for any appreciable period after having endeavoured to press for proper recognition of these claims upon the Legislature of the colony under the circumstances; and as he held that it would be necessary that this subject should be considered by a Select Committee, and as it was now really too late to hope that such a Committee could come to a satisfactory termination of its labours before the end of the session, and understanding also from very good authority that the Government itself was opposed to the matter, he thought it would be merely a waste of time to press the consideration of this Bill on the Council on the present occasion. He would, therefore, be quite willing to take the decision of the Council on the voices as to the second reading of the Bill. He moved that the Bill be read a second time.

* The Hon. Dr. POLLEN was sure his honorable friend would admit that there had never been on his part, or on the part of the Government of which he was a member, any indisposition to admit the just claims of the Natives to redress, or to take such steps as were in their power at the time to satisfy their reasonable claims. If he thought the object his honorable friend had in view in introducing this Bill could be accomplished, he would certainly not be found opposing its second reading; but he was of opinion that the practical result of the passing of this Bill, and its being brought into operation, would be simply the incurring of considerable expense on the part of the Natives, or

on the part of the Crown, for the purpose of ascertaining facts which, as far as he understood, were not disputed. The honorable member had referred to two particular classes of claims—one arising out of the purchase of the Ngaitahu Block, and the other the claim of the Natives to what was known as the New Zealand Company's tenths. His honorable friend was aware of the steps the Government had already taken to satisfy the claims of the Native sellers of the Ngaitahu Block, and he knew, no doubt, that the Chief Judge of the Native Land Court had given it as his opinion that substantially these claims of the Natives with respect to their land had been satisfied by the action of that Court, and that all that remained to be performed on the part of the Government was the recognition of some moral obligations for providing schools, hospitals, and attendance to the sick; which moral obligations it had been the strenuous desire of the Government in late years to fulfil. He admitted, as readily as his honorable friend himself, that the Government in the early days had not done all that it might have done under the circumstances; but after the facts had been brought with sufficient prominence under its notice, steps were taken to afford redress, which ought to have been taken long before. With respect to the New Zealand Company's tenths, there was no doubt of the fact that in the original purchase on account of the New Zealand Company, the promise to reserve these tenths was made; but there was also little doubt that, on account of technicalities which he would not refer to, there was no existing legal right on the part of the Natives to the carrying out of that agreement. That there was a claim, a moral claim, he was not disposed to doubt; but he thought that claim, whatever it was, might be ascertained and satisfied by other means than those which were proposed to be provided by this Bill, the absolute and certain effect of which would, as he had said, be to involve either the Native claimants themselves or the Crown in a very considerable amount of legal expense, for the purpose of ascertaining facts which were easily ascertainable, and were not denied upon either side. He thought that there was another way very much better than that; and he had no doubt, if his honorable friend would apply himself to the settlement of that question with the same perseverance and desire to obtain justice for his friends in the South Island which had characterized his conduct for years past, his efforts at no very distant time would be crowned with success. At present, he trusted his honorable friend would not proceed with the second reading of the Bill.

* The Hon. Mr. HALL did not rise to speak on the subject of the Bill generally; but as the honorable mover clearly implied that the Government had failed in the performance of its engagements so far as regarded providing educational establishments for the Natives in the Middle Island, he thought it was only fair that attention should be called to a report which was on the table, and which, amidst the mass of parliamentary papers, might have escaped the attention of honorable members, which showed how

that subject really stood. If the Council would bear with him, he would read a portion of the report. It was by the Rev. Mr. Stack, Inspector of Schools, who reported to the Government on the subject generally of the education of the Natives of the Middle Island. Honorable gentlemen who knew the writer would, he was sure, admit that he was not at all a man who would write with any bias against the Natives: he had laboured amongst the Maoris nearly the whole of his life, and was one of their best friends. He said,—

"I have the honor to enclose the report of my inspection of the Native schools in Nelson and Canterbury for the year ending June, 1876. The number of Native and half-caste children in the South Island, under fifteen years, may be roughly set down at 900; allowing for those who are too young to attend school, there must be about 500 children who ought to be under instruction. The return attached to my report shows that 209 were present at the several inspections held by me. Adding the occasional attendants, and those who may be receiving instruction privately, the number being educated may be set down at 250, or half the number who ought to be at school. If this result does not seem satisfactory, it must be borne in mind that the education of the Native children is being carried on against the determined opposition of a large portion of the adult population.

"Every facility has been given to the Native parents to educate their children. Not only have schools been provided for them by the Government, but they have been relieved of the cost of maintaining them. All the Maoris require to do is to send their children, but this a great many refuse to do; and if it were not for the interest taken in the matter by the local Government officers, and such influential Natives as Kerei Taiaroa, Irai Tihau, and Te Rore, the number of Native children receiving instruction would be exceedingly small. It is hardly possible for those who have not experienced the senseless opposition offered by many of the Natives to the attempts made to educate their children to understand how people usually so intelligent can refuse to avail themselves of those institutions which can alone restore their race to a position of influence in the State. The absence of schools supplies the Maoris with a good cry that they are neglected; when they are provided with them, they either do not send their children, or, if they do, they seem at pains to hinder their advancement in learning. Only in a few solitary instances do the parents render hearty assistance to the teacher, and encourage him in his arduous work. It is hopeless to expect any improvement as long as the Maoris believe that by letting their children grow up in ignorance they are strengthening their claims to compensation for their lands. The only effectual remedy would be to make education compulsory."

After going on to enforce that view of the case, he states,—

"Under all the circumstances, I think it is a matter for congratulation that the attendance at the schools is larger by 64 this year than last; and although this increase is chiefly owing to the

opening of three new schools, it is satisfactory as giving evidence that, instead of losing, we have, on the whole, gained ground."

That would, he thought, show that, whatever might have been the case in times past, the Government at the present time was not neglecting its duty in the Middle Island in making provision for the education of the Natives. He might say, however, in regard to the schools in Canterbury, with respect to which further particulars were contained in that report, that the Kaiapoi school had for many years been very liberally assisted by the Government; and he knew, from communication with Mr. Stack, that the difficulty was to get the Natives to send their children to school and to keep them there. The school authorities at last resorted to a system of boarding the children, for so long as they were merely day-scholars it was impossible to keep them. He knew that in this, as in other matters, so far as any rate as the province was concerned in which he resided, every fair claim which had been made on behalf of the Natives had always been recognized by the Provincial Government. He was present at the sitting of the Native Land Court in Christchurch to which the Hon. Mr. Mantell had referred, and the Judge said there that nothing could be more fair and liberal than the recognition by the Provincial Government of Canterbury of any claim he thought reasonable, and every provision he thought should be made for the Natives. At that time there were considerable reserves made for the benefit of the Natives. They chose them themselves, but unfortunately made a bad selection. Still, the Judge thought that all that was fair and right was done by the Provincial Government at the time. Of course, he could not speak on the subject so far as it affected other parts of the Middle Island; but he had thought it only fair to the Provincial Government of Canterbury to state so much.

The Hon. Captain FRASER must take exception to what his honorable friend had said about the Maoris objecting to send their children to school. In Otago all the adult Native population were educated; they could read and write and cipher very well. They were taught in former years, as the Hon. Mr. Mantell knew, by the Wesleyans. But the Otago Government entirely neglected them, and their young men and young women were uneducated. It was only, he thought, within the last two years that a school had been erected at Waikouaiti. One of the chiefs told him the other day that if, when he was a boy, he had had the chance of getting to school he would now be a clever lawyer; and he (Captain Fraser) trusted they would soon see that very man in Parliament, and there could not be a better representative.

The Hon. Mr. MANTELL said the Colonial Secretary began by speaking of the great expense which, in the event of this Bill becoming law, would be entailed on one side or the other. With regard to that, he would only mention in passing that it was an aspect of the question which the Natives interested had not failed to recognize, and he was credibly informed that they had already collected a fund of several thousand

pounds, which was lying in a bank and quite ready to be invested in law—honorable gentlemen of the legal profession would listen to this—the moment the Natives had a status in the Courts of the colony in regard to their claim. The Natives, like other more intelligent savages, were rather fond of law, and they too could appreciate it when the judgment was on their side. The Colonial Secretary had referred to Judge Fenton's opinion on this case. He thought it was a great pity the Government had thought proper to print that opinion, inasmuch as it was not a proper outcome of the circumstances under which it was called for. Last session it was decided by the other branch of the Legislature that the Governor should appoint a Royal Commission to investigate the claims of the Natives and make a report, which was not to be binding on Parliament, but to be taken into consideration this session. The Government made vain efforts to carry out the intention of the Legislature, but it was impossible to get a member of the Commission nominated by the Natives against whom the Government had not an insuperable objection; and at last the Government suggested that Judge Fenton should be nominated on behalf of the Government. That being the case, the Natives came to him (Mr. Mantell) for advice, and he advised them that, rather than endeavour to get anybody to act who would not be a match for the Government Commissioner, they should join in the nomination of Judge Fenton, and leave it entirely to him. The only reason they did not do so, he believed, was that that gentleman absolutely refused to leave the sunny North and go to the bleak South to take evidence. Therefore it was that Judge Fenton's opinion was an *ex parte* opinion; and he did not seem to him (Mr. Mantell) to have had recourse to all the sources of information. He seemed to have taken the evidence of Mr. Kemp, but not that of Captain Symonds, who would be a very important witness as regarded the negotiations for the Otago Block. With all submission to Judge Fenton, for whom no one had a higher respect than he had, he would say that the reading of that document gave him the impression of its having been written in one of those mental phases that men are subject to when a question is forced on their consideration which they would rather leave alone. It showed the smallest possible amount of temper from the beginning to the end. He was not aware of the physical state of that gentleman's health; but, if he was subject to gout, he (Mr. Mantell) would think the fit was imminent if he was not actually suffering from it. He did not think it was worthy of that gentleman. As regarded the Native Land Court in Canterbury, he did not think that the Hon. Mr. Hall had said more than was justly due. Nothing could be fairer or more liberal than the action of the Canterbury Government in the matter. There was a little matter of mistaken identity on that occasion, when the Judge of the Native Land Court mistook a gentleman whom they all highly respected for His Excellency the Governor. That, however, had since been cured by legislation—the very legislation

which remedied the defect which refers to the special claims which it was hereby intended to give the Natives an opportunity of bringing before the Supreme Court—"The Ngaitahu Lands Validation Act, 1888." The Hon. Mr. Hall had not over-described the conduct of the Canterbury Government on that occasion. It was just that conduct which one might expect from gentlemen. The report of the Rev. Mr. Stack, to which the honorable gentleman referred, respecting the aversion of the parents of Native children to send them to school, simply strengthened his (Mr. Mantell's) position, in saying that they had done a very great wrong to the Natives, in not having undertaken this task of education earlier. Those very Natives, whom they ought to have educated, were now objecting to their own children going to school. So far from there being any aversion to education, there was a craving for education on the part of the Natives at the time to which he referred. He remembered a case in which he met some Natives from Moeraki, who had actually invested 5s. in the purchase of a book. That was quite a new experience to the Natives. Their literature was derived gratuitously from the missionaries. Actually, on this occasion, they had invested 5s. in a book, which on examination he found was bound in calf-skin, and was a work on arithmetic. He asked them what was the use of the book to them, as they could not read it. They replied, "We cannot read the book; but you know, from your own experience, that when you come to our place we always ask you to set sums for us; and we do the same to everybody who comes by. Sometimes people come by who say they cannot set sums; so we have bought this book, from which these people can set us sums." He did not mention that as an exceptional case. They were all most anxious to learn, and in that they had been disappointed. There was no doubt that those promises weighed materially with them to come into a bargain which they were not bound to make; and they were induced to give way solely on account of those promises. The Hon. Mr. Hall had referred to a sitting of the Native Land Court. He (Mr. Mantell) remembered a sitting of the Native Land Court, which he thought was held in Canterbury or in Dunedin. There was a large assembly of Natives there, and those promises were referred to again. Judge Fenton said that was a question beyond his province to deal with; but he might be allowed to ask the witness—he (Mr. Mantell) being in the witness-box at the time—a question with regard to it. The question was, "Did those promises of education, and so forth, act as a strong inducement to the Natives to agree to the cession of their land?" This question, like all the other questions and answers in the Native Land Court, was translated into Maori. He (Mr. Mantell) answered "Yes;" and there was a general murmur of assent throughout the whole place. It was not an outspoken murmur, but every man and woman present gave a sort of low grunt of assent to what he said. Judge Fenton said it was very striking, and that he would make a special report to the Government on it, although

he could not take any cognizance of it himself. It must be borne in mind that while, of course, they had had very large sums named as possible compensation for those wrongs done to the Natives, these sums were mere trifles in comparison with the profits they realized on the lands the Natives ceded. For the whole of the lands they ceded—the lands which belonged to their ancestors, who had fought for them for generation after generation—they did not receive so much as the lessee or licensee of a run under their legislation would receive as compensation if his license or lease were terminated by his run being declared into Hundreds, or anything of that sort. Even if compensation were conceded to the Natives in millions, the Europeans had received far more millions than ever the Natives would get. However, that was not the question. What the Natives wanted was an opportunity of being heard before the Courts. That was all. They had appealed to political bodies session after session, and without success. They had tried to establish a footing before the Courts, but they had always found themselves met by some difficulty or another. Among others they met with this great difficulty: that the Crown, which had kindly, through its officers, stepped in and accepted onerous trusts on behalf of the Natives, discovered that it was not bound by any trust which was not most deliberately and specifically assured; and therefore it was that this kind trustee, who had stepped in to protect the Natives from spoliation, had become the actual possessor of their properties, and was not in a position to give their claims consideration. He would accept the negating of the second reading of this Bill as a matter of course at this period of the session; but he thought that, unless the Government found time during the recess to devote attention to this subject, and to devise some better course for settling this outstanding question—and settled it must be sooner or later—if he were present next session, he would have the honor of bringing the matter before the Council at the earliest possible period. It was very true that they had stepped into the possession of these lands, and that the Natives had been shut out from their lands; and the whole of the profit was on the side of the Europeans, and the whole of the loss on the side of the Natives. But it so happened that he took a view of the profit and loss different from other gentlemen who took that view of the case. He most fervently believed that, so long as they were in this position of doing a chronic injustice towards those people, so long would the Natives have an outstanding debt against them, which they would have to repay in some shape or another, to the great loss of the country.

Bill read a second time.

RABBIT NUISANCE BILL.

The Hon. Mr. MENZIES, in moving the second reading of this Bill, said he wished to make a few remarks drawing attention to facts which had already been brought under the consideration of the Council by a most exhaustive report on the subject, as regarded Southland, from a

Commission over which the Hon. the Speaker presided, and by a considerable amount of evidence taken by a Committee of the Council appointed to inquire into the rabbit nuisance. First of all, he would say that the rabbits appeared to have become extremely numerous within the last two or three years. In Southland they had become very numerous during the last two or three years. He had heard of the rabbits having been planted on islands on the coast of Otago, he believed, as early as the first days of the settlement; but they never seemed to increase very largely until within the last few years. The report of the Commission pointed out that in the extreme South, and also in the northern part of the Province of Otago, until within the last two or three years the rabbits, although numerous, were by no means a serious nuisance; but, during the last two years they seemed to have multiplied at a rate, he might almost say, without parallel. So far as he had been able to give an individual opinion on the subject, he fancied they had been multiplying in more secluded localities without the public being aware of the extent to which they were multiplying; and within the last few years they seemed to have migrated from the coastline between Invercargill and Riverton in hundreds of thousands. The consequence had been that their presence had been felt in the interior, on the grassy plains, as a scourge. Without exaggeration, their progress in many localities had really been desolating, as they had gone on to the land in such numbers as to materially lessen the depasturing capabilities of a large extent of country. These remarks would apply specially to Southland. He gathered from the evidence that had been taken that in the Province of Marlborough, and in some parts of the Province of Wellington, they were also very numerous. They were found to be a nuisance, but by no means to such an extent as they had within the last two years been found to be in some parts of Southland. In the report of the Commissioners some explanation was given of the sudden character of the infestation, for it was there pointed out that the fecundity of rabbits was something almost incredible. At page 5 of the report of the Commission, quoting from Chambers's "Information for the People," the Commissioners said,—

"The rabbit litters seven times in the year, and generally produces eight young at a time. At the age of five months the animal begins to breed, and, taking an estimate perfectly within bounds, it is supposed that a pair of wild rabbits, which breed no oftener than seven times in a year, would multiply in the course of four years to the amazing amount of a million and a quarter, if the young were preserved."

The Commissioners went on to say,—

"If common report be correct, the climate and soil of New Zealand are peculiarly favourable to the domestic habits of rabbits, and they are said to breed at least nine months in each year, having at least six young at each kindle, and the females will breed at the age of three months. If this be true, then the problem of extermination becomes very difficult of solution."

In some localities they multiplied much more

quickly than in others, for in certain places they had been kept in check to some extent by boys shooting them, dogs hunting them, and cats killing them; but in localities where they found shelter—such as in sand, gravel, and in the neighbourhood of scrub, and more especially in rocky ground—it was more difficult to keep them under. The Commissioners went on to point out what the Council would expect to be the natural result of such an astonishing increase. The pastoral interest had most seriously suffered from this inroad. Both agricultural and pastoral interests had suffered, but the pastoral interest had suffered to a very serious extent. With reference to the export of wool, at page 4 the Commissioners said,—

“In Southland proper, there were from 700 to 800 bales less this year than the last, though the present was a favourable season. In one case, where 250 bales were shipped last year, there were only 150 this season; and, unless active remedial measures be adopted, it would be hard to say what the export would be next year. In another case, where there were 900 bales last year, there were only 750 this year. And not only do the rabbit ravages affect the quantity, but they injure also the quality of the wool; for as the young grass makes its appearance in the spring it is eagerly devoured by rabbits, and the ewes, with lambs following them, find themselves, when needing the most nourishment, reduced to comparative starvation.”

Then they went on to point out that the increase was very seriously affected. They gave a variety of instances, and pointed out that the increase on a large extent of country had decreased from 15 to 20 per cent. Throughout the whole of the Western District last year, which was an exceptionally good year, the increase was 20 per cent. instead of 65 to 70 per cent., which had previously been obtained. They further referred to the decrease in the carrying capacity of the country. They pointed out that the carrying capacity had been reduced in different places from 13½ per cent. to over 32 per cent. Here the question arose: how was this evil to be lessened? It was clear enough that it would bring ruin to all whose land had been invaded. He might here say that no doubt one original mistake which had been perpetrated was that they had not introduced the natural enemies of rabbits to counterbalance their astonishing increase. He had no doubt that if ten or twelve years ago, when some few settlers, having more foresight than others, began to take the alarm, they had begun to introduce in certain localities weasels, martens, and other natural enemies of the rabbit, they would now have less reason to complain of the extent to which the nuisance had grown. He remembered a debate which occurred some ten years ago in the Provincial Council of Southland, when there appeared to be a general confidence expressed in the power of cats to keep the rabbits under; but they had deplorably failed in doing so. He could see a collateral advantage in introducing some particular kinds of vermin that preyed on rabbits. For instance, the marten had a

valuable fur, which might in itself become a valuable article of export; for under another name, in the Arctic regions, it was known as sable, and that was one of the furs which commanded the highest price in the market. But even granting that the introduction of natural enemies would keep in check the increase of rabbits, now that they had got such headway a long time would elapse before any number of natural enemies that could be introduced within a reasonable time could make any appreciable difference in the number, and so other means must be taken. In the South, some had been extremely active and energetic in endeavouring to destroy the rabbits by ordinary means—by using ferrets, dogs, guns, and nets. But something more than that was required. While some residents in the South had exerted themselves, others had not done so. They had been careless, and had allowed their lands to become nurseries for rabbits. Just as in the case of the thistles in this island, it was perfectly useless for any two or three or half-dozen persons in any locality to endeavour to destroy them, so it would be now to attempt to destroy rabbits, when the weed in the one case and the rabbits in the other were allowed to multiply in neighbouring lands. Now, in the South, and no doubt in other parts, there were many large Crown reserves, nominally in the management of the Government, but which were in reality left to take care of themselves; and upon these lands the rabbits multiplied a thousand-fold. Then there were large estates in the South which were used for pastoral purposes only, and the management of which had not been sufficiently careful to repress the rabbits or to make any praiseworthy attempt to keep the numbers down. Now that some residents in the South had been doing their duty, and doing their neighbours' duty at the same time, was evident from the facts which had come out. Mr. Cowan, who had been one of the leading sufferers, stated that in four months he had killed 28,000 rabbits. He said,—

“We did not take any particular notice of them at first. It is within the last eighteen months that the nuisance has assumed immense proportions, and that measures have been taken to suppress them. Since measures have been taken to suppress them, they have not increased so rapidly, and there is hope that, if these measures are continued, we may be able to keep them under. But I attach this condition, that the exertions to be made must not be confined to particular individuals; all people must act in the same direction. If my neighbours do not keep the rabbits down as well as myself, I could not keep the rabbits down; and I have no hope of the abatement of the nuisance unless united action be taken.”

And that was what was now proposed. After the matter had been carefully considered by a Committee of the other House, it was agreed to take the legislation of some of the Australian colonies as a model for the legislation which should be introduced here; and, after examining the Australian Acts, it was agreed to take the Tasmanian Act as the model. The Bill now

under consideration differed in some particulars from the Tasmanian Act. One of the most important of those particulars was the fact that, whereas in the Tasmanian Act the rate was levied on the annual value, it was here proposed to be levied on the acreage. It was proposed in the Bill as it stood that, if ten landowners or occupiers petitioned the Governor to proclaim any district a rabbit district under the Act, any portion of the colony might be proclaimed a rabbit district accordingly. When the Bill was in Committee, he would move, as an amendment, that it should be a majority of the landowners who should have that power, instead of the number proposed in the Bill. The Bill provided that a uniform rate should be levied; but he did not consider that that would be fair to the lessees of Crown lands, and he would suggest that they should pay only one-half the amount that was paid by freeholders. Clause 9 of the Bill authorized the trustees to destroy rabbits where the owners, after due notice, neglected or failed to destroy them; and the subsequent clause authorized the trustees to send an officer to search for and destroy rabbits on such lands. The object of the Bill was to secure simultaneous action over those districts where the nuisance was felt to be so great that the majority of the landowners felt it was necessary to take steps to put an end to it. Before he sat down, he might remark that he had lately heard of, and had been curious enough to examine into, a rather ingenious plan for trapping rabbits alive. The plan was very ingenious; but, as it had not yet been practically tried, it was impossible for him to say whether it would succeed or not. If, however, it should succeed, he could see that the introduction of those traps into the colony would decrease the rabbit nuisance to a great extent. In districts where there were railways, this plan would be found to be very useful, because rabbits caught in this way could be utilized much more effectually than at present. In Victoria, where rabbits were a very serious nuisance some years ago, they had been destroyed to such an extent that, as he was informed, a very profitable trade was now being carried on in curing the meat and the skins of the animals. If the landowners in the South Island of New Zealand could kill 30,000 or 40,000 rabbits a year, he did not see why some establishment should not be opened for curing the meat, on the understanding, of course, that such establishment could only exist in those districts which railways passed through or near. He thought he had sufficiently explained all the objects of the Bill; and would only add that the Bill was a permissive one, to enable those who suffered from the rabbit nuisance to endeavour to put an end to it. He hoped that the Bill would be passed, so as to give such persons an opportunity of endeavouring to eradicate the pest.

The Hon. Mr. WATERHOUSE said the question was of a very important character. The increase of rabbits in the colony was calculated to become, as it had already become in some instances, a serious nuisance; and he would feel great pleasure in supporting the Bill, if he believed it was calculated to enable farmers and

others to overcome the nuisance. But he felt, with reference to this Bill very much as Lord Palmerston did in regard to the wine that was sent to him by an amateur manufacturer as a certain cure for gout. After tasting the wine, Lord Palmerston said that on the whole he preferred the gout. In the same way, he (Mr. Waterhouse) would rather have the rabbits than this Bill. Under the Bill it would be competent for ten persons—landowners or occupiers—in opposition to the wishes of their neighbours, to apply to the Governor to proclaim a rabbit district. A rabbit district having been proclaimed, trustees would then be appointed, who would receive a certain rate from the owners and occupiers of land within the district. The trustees were then authorized to give notice to persons having rabbits on their property to destroy those rabbits; and if after ten days such notice were not complied with, the trustees might forthwith authorize persons to enter upon the property for the purpose of destroying the animals, and the owner of the property would be called upon to pay the expenses of those persons. He remembered a few years ago taking a ride in the neighbourhood of Auckland with a gentleman who was at that time a member of the Council, and who was well known to most honorable members. While riding along, he caught sight of a very fine crop of thistles, and remarked to his friend that thistles evidently flourished there. Soon afterwards, his friend pointed to another piece of ground where there were no thistles. He (Mr. Waterhouse) asked his friend why there were thistles in one place and not in another, and the reply was, "That land belongs to me. Every year I have a notice served upon me by my neighbours to destroy my thistles, and I do so at considerable expense; but they take no steps to destroy the thistles upon their own land, and consequently their thistle-seed comes over to me, and I have to bear all the expense." And under this Bill a few people would be able to compel the owners and occupiers of land throughout a large district to submit to the encroachment of a number of persons upon their properties, and then the persons whose property was encroached upon would have to pay the expenses of the persons who entered on their property. There would be no end to the expense which landowners might be put to by this. Therefore, as he had already said, on the whole he preferred the rabbits to the Bill. He did not think the Bill had been sufficiently considered; but he would not oppose its second reading, and he hoped the Council would refer the matter to a Select Committee, which would be able to consider it more fully and deliberately than the Council could do, with the view of making it more perfect and removing the defects he had pointed out in it. He was unfortunate enough to have been troubled with rabbits, but he had taken steps to abate the nuisance on his runs, and he hoped to be able to keep them under. He had himself put ferrets on his runs, and he believed they were being used in other parts of the colony with the view of putting a stop to the ravages of the rabbits. He would

advise the Government to take steps to introduce more ferrets into the country. An impression seemed to prevail that ferrets would not thrive in a wild state; but he knew that in the neighbourhood of Kaikoura ferrets were increasing rapidly in a wild state. It was on the introduction of ferrets rather than on the mode provided in the Bill that he relied as a means of relief from the rabbits, which were eating the farmers out of house and home.

The Hon. Captain FRASER thought, with his honorable friend Mr. Waterhouse, that this Bill was not all that could be desired. He himself and other gentlemen had waited on the Government, who had promised to bring down a Bill which would have suited admirably, but they had not done so. This was not at all a good Bill. They had machinery already. They did not want new and expensive machinery, as their cattle and scab inspectors were quite sufficient to see the Act carried out. He had intimated to the Committee that within a few months a few rabbits on his run had increased to five thousand, and that unless some steps were taken in regard to them they would become a very serious nuisance. The Government were quite as much interested in this matter as anybody else, because the rabbits would make the lands of the Crown perfectly useless. He had no doubt that this spring the sheep would suffer from the immense increase of rabbits, and certain runholders were taking steps to prevent the spread of these animals. He would vote for the Bill, in the hope that a better measure would be brought down.

* The Hon. Mr. HOLMES said he had pointed out the evils that would arise from the increase of rabbits in a previous session, and then honorable members thought that what he had said was not correct, but the experience of the last twelve months had shown that he had not exaggerated. On one of his runs they had killed at the rate of 4,000 per week. They had given the small rabbits to the dogs, but they still had 60,000 good skins ready to send to the market. That would show the magnitude of the evil in his district. The cost of killing these rabbits he found to be £1,500 per annum. The extent of the run was 70,000 acres, and three years ago there were 45,000 sheep on it. Now there were only about 29,000, and they were not in as good condition as when the larger number were there, he believed that the wool from them would not be of as good quality as that which came from the larger quantity. The fact was that the stock had deteriorated in value from every point of view. And then as regarded the value of the land. Land infested with rabbits was lessened in value by £1 per acre. In estimating the loss, he had to put down £1,500 as the expense of killing the rabbits and £3,500 as the decrease in value of the wool, and lambs; altogether he considered that the loss on that one run was £5,000 per annum. He believed that £15,000 per annum would not cover the loss on some of the larger stations. It was a well-known fact that the farmers had objected to any Bill being passed which would provide for the killing of rabbits some time ago,

but a few months had altogether altered their tone, and now instead of desiring a permissive Bill they wanted a compulsory one. He had taken the trouble to send telegrams to the principal farmers in Southland a few days ago, but he had only received one answer. The sender of that was one of the largest farmers in the South Island, and his reply was as follows: "Self and neighbours for a compulsory Bill *re* rabbits." He did not think that the tax of 3d. per acre would be sufficient to provide bonuses, because the evil was so great that a deal of money would have to be spent on it for at least a year or two ere any good result would be found to have followed. He believed that if a compulsory Bill were introduced, and all the settlers were to unite in the effort to put down the nuisance, they would in two or three years exterminate the greater number. But as long as one settler waited for the other to begin there would be no abatement of the nuisance. Were the Bill made permissive it would be of very little use. The very persons who had said that they could cope with the nuisance—the farmers—were the very persons who propagated the evil at first. It was no doubt easier in densely populated districts to cope with the difficulty, but that was no reason why there should not be united action. He felt certain that on the farms in the most densely populated districts of Southland there were as many rabbits as on any runs in the interior of the country, in proportion to their acreage. He held that the Crown, having possession of the larger portion of the land, was called upon to contribute in some measure to the abatement of the rabbit nuisance. Who was likely to suffer most in consequence? Why, the Crown itself, for the simple reason that if the wool-producing value of the runs began to fall back as it would do, it would be found impossible to get anybody to lease the lands at any price if the rabbits continued to increase as they had done. He himself would not take a run as a gift that was overrun with rabbits. He held that, whatever rate might be levied on Crown lands, one-half of it should be paid by the Crown itself, or at any rate it should be deducted from the assessment. It would be good policy for the Government to do this, because they would thereby obtain the assistance of all the settlers in the district. With regard to what fell from his honorable friend Mr. Mebzies, he would only say that he did not think the honorable gentleman was quite correct in his statement. The honorable gentleman had said that in Victoria the evil had been overtaken; but how was it possible that the evil could be overtaken if they were continually curing rabbits there? It was clear that, to keep a curing establishment of any size going, 4,000 or 5,000 rabbits per day would be required; and if that number could be procured daily, it could not be said that the evil had been overtaken. He had recently read an article in a newspaper to the effect that, if the rabbits continued to increase in South Australia as they were increasing, they would soon overrun the whole colony. Only a few days ago he had been talking with a gentleman who had visited Master-ton, in this province, and that gentleman had told him that he had been surprised at seeing so many

rabbits there. He (Mr. Holmes) would say that the existence of so many rabbits in that neighbourhood would lessen the value of the land by 20s. per acre at least. It was quite clear that some legislation on the subject was necessary, and although they might not do much with respect to it this session, still, if they addressed themselves to it with a will, he had no doubt whatever that a Bill would be passed that would be of some service. He would urge upon the Council the necessity of reading the Bill a second time.

* The Hon. Dr. POLLEN was sure that no one who had read the report which had been made on this subject, or the evidence which had been adduced in other places regarding it, could for a moment hesitate to admit that there was an immediate necessity for legislation in connection with it. He would vote for the second reading of the Bill, and he hoped that if it were referred to a Select Committee it would be so framed as to insure its passing during the present session. He was of opinion that everybody interested should be compelled to take his share in the work of exterminating the rabbits. Whether or not the Crown lands should bear their portion of the cost of exterminating that plague, was a question which might very properly be discussed at some future time. At present it would probably not be admitted that the Crown could be called on to pay; but in the future, after every effort had been made, after it had been seen what was possible to be done under local exertions, he thought the District Boards would have a fair claim upon the colony for some kind of subsidy or assistance, if it could be shown that they had really rendered to the Crown lands the amount of service that honorable gentlemen seemed to think possible.

The Hon. Mr. CAMPBELL was sorry to hear from the honorable gentleman who had just sat down that the Crown would not contribute in the slightest degree towards exterminating this nuisance, until the settlers had done their utmost to eradicate it.

The Hon. Dr. POLLEN explained that he said the Crown lands should not be taxed.

The Hon. Mr. CAMPBELL said that, as far as the pastoral tenants in Otago and Southland were concerned, it was absurd to expect that they should alone contribute to the extermination of this pest without any assistance whatever from the Crown, which held the freehold of the land. These pastoral leases had only a short time to run, and it was a matter of calculation with the lessees whether it was desirable to spend annually a large sum of money in the destruction of rabbits, or whether they should not feed what sheep they could on those lands and in the end deliver up their runs to the Crown as huge rabbit warrens. The Hon. the Speaker had had an opportunity, which he (Mr. Campbell) had not had during the last two years, of going through the southern portion of the Province of Otago. He had, however, seen the Hon. the Speaker's report, and he had also the evidence of gentlemen who were managing for him in the South, and the opinion was unanimous that,

unless something was immediately done by those who were interested in the matter, the rabbits would become such a nuisance and such a scourge as to bring absolute ruin upon a great number of those engaged in pastoral pursuits, and to render the value of the land absolutely nil. This subject had been so fully entered into by the Hon. Mr. Holmes that he would not delay the Council by going more fully into it. But he might say that, unless some hope was held out to the pastoral tenants that, with the united aid of all classes, some endeavour would be made to exterminate this nuisance, they would lose all hope, and abandon their runs at the expiry of the leases. He would suggest to the Hon. Mr. Menzies that the Bill should be referred to a Select Committee. That would be the best way of getting the matter maturely considered, and it would expedite the passage of the measure, because the Select Committee could bring up a report, and the measure could be passed through the Council without any delay.

The Hon. Mr. MENZIES said the same suggestion—to refer the Bill to a Select Committee—had been made by other honorable gentlemen without their having stated the nature of the alterations they thought should be proposed. Perhaps the honorable gentleman would suggest the alterations he thought ought to be made.

The Hon. Mr. CAMPBELL said an alteration he would like to see was this: that there should be a differential rate, and a distinction made between leases of a long tenure and those of a short tenure. It was not fair that a person with the lease of a run for only a year should be called upon to pay the same as a person who had a long lease. Those were matters for the consideration of a Committee, and, after they had been fairly considered there, the Bill would be reported to the Committee and passed through more rapidly than if all these questions were discussed in the Council. He simply threw out the suggestion to the honorable gentleman; if he was not prepared to adopt it, he (Mr. Campbell) would propose certain amendments in Committee of the Council.

* The Hon. Mr. HALL had not intended to trouble the Council on this question, but that a suggestion appeared to be gaining favour which he ventured to think was not a practicable one. It had been pointed out, with considerable truth, that it was unfair to impose solely upon the tenants of the Crown the cost of rescuing the Crown lands from a process of impoverishment which would affect the Crown eventually more than its tenants, and therefore it was suggested that the Crown ought to make an allowance to tenants towards the cost of eradicating this pest. There was a great deal of force in that argument, but he would suggest to honorable members that, if any alteration of that kind was proposed by the Council in this Bill, it would be a violation of the privileges of the other branch of the Legislature, for it would be nothing more or less than an Appropriation Bill—it would be appropriating the revenue of the Crown, which it was quite clear they had not the power to do. He would suggest to honorable members whether they

should not take some other steps for the purpose of giving effect to their view, which he thought was reasonable.

The Hon. Mr. HOLMES.—It would only be lessening the assessment.

*The Hon. Mr. HALL said the honorable gentleman was far too acute to suppose for a moment that that was not really paying money. He spoke on the spur of the moment, and of course under correction, but he had not the slightest doubt that with such an alteration the Bill would be an Appropriation Bill to all intents and purposes, and, as such, one which could not originate in the Council. He hoped that honorable gentlemen who had spoken in favour of referring this Bill to a Committee would not attempt to introduce any amendment of that kind, for if it were introduced he was afraid they would lose the Bill. He would have very great pleasure in supporting the Bill. He thought that, of the many measures that had come before them this session, there were very few of greater practical importance to the colony than this. There had been very much more lengthy and more high-sounding measures, but very few of greater practical importance to the colony in the future; and he earnestly hoped that honorable members, whatever their opinions might be as to the particular way in which this subject should be dealt with, would not press those objections—in some of which he entirely agreed—to such an extent as to render it improbable that a Bill on this subject would become law this session. To use the words of the Hon. Mr. Holmes, they must have some Bill. They knew there had been, and were told there still was a very great feeling of opposition amongst a certain class of settlers in the Province of Otago towards more extended legislation than this Bill proposed. They knew that more comprehensive and more energetic legislation would probably encounter very serious obstacles in another place, and therefore he trusted honorable members would not refuse to take a partial remedy if they could not get a complete one. It had been stated that a permissive Bill was very objectionable—that what was required was a compulsory measure. He was inclined to agree with that; but if it were even probable that a compulsory measure would be rejected, he asked honorable members in their own interests—it would not affect him at present, although it might eventually—to take a permissive Bill; and if experience showed, as they believed it would, that a permissive Bill was insufficient, then they would have an undeniable argument on a future occasion for asking for a compulsory Bill. He trusted, therefore, that if this Bill was referred to a Select Committee, honorable gentlemen would bear those considerations in mind—that the particular measures which they thought were required, and which he was inclined to agree with them were required, were measures which could not be carried at the present moment; and that they would be content with what they could get rather than, by striving after something more comprehensive and more energetic, allow Parliament to break up this year without passing some measure—a result

which he believed would be a very great calamity.

The Hon. Colonel WHITMORE said this Bill appeared to be a very imperfect one, and to have been rather carelessly drawn. The 3rd clause was an exceedingly vague and very unfair one. He presumed that in Committee they would make it much more explicit. The 9th clause also seemed to be clumsily worded; and there was an absence in the Bill of any provision in case of injury done by dogs, or other means employed by the trustees in the destruction of rabbits. It would very often happen that a number of lazy fellows, who did nothing else but kill rabbits, would be employed by the trustees, and do great harm to the sheep. There was no provision for that. Those, amongst other reasons, led him to hope that in Committee the Bill would be carefully considered by honorable members, and that it would be very much improved if it were to pass this session. The Hon. Mr. Campbell's argument, that tenants with so short a tenure as the Crown tenants had should not pay the entire cost of destroying rabbits, had no doubt a semblance of fairness; but he would caution that honorable gentleman that it was an argument which cut two ways. It would be an argument very much against the leasing of land in this country, and would probably be used very much to break up large holdings, and possibly to increase the sales on deferred payments. It was a very dangerous argument to use, and, considering the moderate provision proposed in the Bill—only 1d. an acre—it was a very unwise one to raise. The analogy drawn in reference to lands held in England, on which the landlord was either expected to make compensation for injury done by game or to assist in its destruction, was not altogether a fair one. But he wished to point out that there must have been most extraordinary mismanagement in the attempts to destroy the rabbits in this country. The extermination of rabbits in New Zealand was totally different from that carried out in England. He had seen rabbits in some parts of England, and also notably on the coast of Scotland, quite as thick as they could be in this country, and by the employment of a few professional rabbit-killers in one season the rabbits were so destroyed that it was no longer profitable to the persons who followed the occupation of killing them. Of course rabbits could be sold in England, while they could not here; but it was evident that the wholesale destruction carried on in England would amount to annihilation in the course of two years. The persons employed there, however, understood their work better than the people here, who appeared to be able to do little or nothing in the way of keeping down rabbits. The Government or the trustees could easily get a few proper and suitable gamekeepers or rat-catchers from England, and, if they imported some of those persons, he believed the rabbit nuisance would soon be very much abated. It was owing to the unskilful measures adopted that rabbits had got so much ahead here. The calculation that the honorable gentleman was good enough to say was being made by some gentle-

man whose lease was soon coming to an end, seemed very much like cutting off one's nose to spite the face. The gentleman would allow his sheep to dwindle down year by year, rather than go to the expense of keeping down the rabbits. As the rate was only to be a halfpenny an acre, no one would surely allow the rabbits to become so great a nuisance as to prevent sheep-growing. The doctrine the honorable gentleman had indicated was a very dangerous one, and it would be much better if the settlers would turn their minds to the adoption of means which would be more effectual in the destruction of rabbits. He had the advantage the other day of speaking to a gentleman whose property was situated in the very middle of this rabbit nuisance, and who told him that he was able to keep the rabbits pretty well down in his own district, and also that there were a large number of landowners around who were contemplating doing exactly what the Hon. Mr. Campbell had stated. Therefore it would appear that, though that was a very short-sighted policy, it was nevertheless contemplated, and honorable gentlemen would vote for the measure with that before their eyes. But there were two sides to the question, and he thought a certain amount of fairness ought to be shown. He did not think, for instance, that any ten landowners had a right to impose any great expense of this kind upon their neighbours, but that it should rest with a certain proportion of the inhabitants of any district declared. If that were done, no practical injustice could arise, or such as ought to prevent them from passing a Bill imposing a tax upon the Crown tenants of pastoral runs. He wished to point out, however, that there was another class of Government land affected which was not leased at all. There were many pieces of land in the North Island—and, as an instance, land between Wellington and the Forty-Mile Bush, belonging to the Government—which were not leased at all, and which would become regular rabbit-warrens. Would not the Government, in common with other proprietors, pay for the destruction of rabbits? Then, again, were the Maoris to be exempt, as they were in too many matters in the North Island already? In the district in which he lived, practically they could not raise a dog tax, because the settlers would not pay, inasmuch as all the curs in the province belonged to Maoris, and the only dogs that belonged to the settlers were for useful purposes. Were Maoris to be exempt from the tax for the destruction of rabbits? If so, this Bill might go into the fire so far as regarded the North Island, for the Maoris were by far the largest landowners in the North, and certainly they would not take the slightest pains to destroy rabbits; on the contrary, they would regard them as a source of food at hand, and would not even object to allow them to wander on to the land of their European neighbours. There were, therefore, two classes of land which ought to be considered. Another reason why these two classes of land should not be exempt was, that it was of no use whatever to have five people out of ten or out of twelve thinning their pigs, rabbits, or any kind of vermin down, as long

as a single place was left open as a refuge for them. He had seen that exemplified in the case of pigs. Wild animals were very cunning. As soon as they found where they could retire in safety, they would go out to feed; and on the first alarm they would run from all points to where they knew they would be safe. It was the same with rabbits. The Bill was intended to grapple with a very serious difficulty, and one which he believed it was their duty to face this year. It was one of those measures which if they did not attend to this session, it would be too late next year or the session after to avoid very serious loss to the country, and a very serious diminution in the export of our staple commodity. For that reason he would support the second reading of this Bill, in the hope that it would be considerably amended and altered in Committee.

The Hon. Mr. MENZIES, in reply, said that, in moving the second reading of the Bill, he had remarked that there were two clauses which he proposed to amend in Committee, and he thought all the honorable members who made observations about the Bill were not present then. In the 3rd clause, which had been modelled after the Tasmanian Act—although the South Australian Act resembled it a good deal—he proposed to strike out the word “ten” in the second line, and introduce the words “a majority of the landowners;” so that a few individuals could not, as appeared to have been apprehended by some honorable members, be able to bring the Act into operation over a large district in which they possessed a very small amount of property. Then, again, in the 7th clause, he proposed to introduce a provision which would render the rate on leased lands only a halfpenny. Those, he thought, were the main alterations and improvements that could be made in the Bill. He was glad that there was such a general concurrence in the object of the Bill. While he was entirely in the hands of the Council as to referring the Bill to a Select Committee, it appeared to him they would only be losing time if they did so. Unless there were some alterations of more importance than those he had declared his willingness to propose, he thought they would only be losing a day, or perhaps longer, by referring the Bill to a Select Committee; and then the Bill might not be improved. He did not mean to say it could not be made more perfect; but what the Council had to consider at that stage of the session was not altogether what they would desire most to see enacted, but such provisions as they thought were likely to come into effect this session; for, as more than one honorable member said, it was of the utmost importance to do something—to make a beginning; and if it were found that whatever provision they might make this session was not sufficient to arrest the evil, they could amend it next session. With reference to the amendment which the Hon. Mr. Campbell referred to, he must remind the Council that the Bill, as originally introduced, did contain a provision in that direction, although not going to the full length of the suggestion which had been made. The 7th clause now terminated with the words “one halfpenny per acre;” but the

following words were contained in the clause as originally introduced, and were struck out in another place: "In the case of lands held on lease or license from the Crown, a receipt for one-half of the rate so levied shall be accepted as part payment of any rents due on account of such holdings to the Crown." It seemed to him that if they were to elaborate the mode of assessing Crown lands held under pastoral leases so as to press equally upon them, bearing in mind the duration of the tenure, they would add to the risks which the Bill might have to run before it finally passed. He thought that by adding some other words which he would propose in Committee, with the object he had stated, the end would be gained, and in a manner which would be unobjectionable.

Bill read a second time.

COUNTIES BILL.

* The Hon. Dr. POLLEN.—Sir, when the Bill for the Abolition of the Provinces was under discussion in the Council last year, I was asked what was proposed to be substituted for the institutions about to be swept away; and my reply was that it was not necessary that anything should be substituted for them, but that they would be succeeded for purposes of local administration by the Road Boards, Municipalities, and other local bodies which had grown up in considerable numbers within the last eight years, and the growth of which was, in my opinion, checked by the existence of the provincial form of government. I said that whether, in future, the government would continue to be by Road Boards, or whether they would take the shape of shires or any other form, would depend very much upon the people themselves and upon their representatives. In the Bill which was then before the House of Representatives, the Local Government Bill, the Government had indicated, generally, their views upon that point. The view entertained by the Government at that time was that the Road Boards should be regarded as the unit of local government, and that they should be allowed to develop themselves into higher forms called shires, or any other name which might be given to these institutions, by the aggregation of the Road Boards, or otherwise, as the necessities of the people might require. In the *Hansard* report of the proceedings in another place on the 10th August last, when the second reading of the Counties Bill was proposed by the late Premier, there are some interesting tables with regard to local taxation generally, and with regard to the Road Boards and local institutions of this colony. I shall not trouble the Council by quoting those tables, except to a very small extent. They show that last year there were 314 road districts in the colony. There is a table which shows that the total receipts of those road districts for that year was £420,404 16s. 3d., including a sum of £147,226 12s. 6d. which was in the hands of the Boards at the commencement of that particular year. As may be supposed, the Province of Canterbury monopolizes the largest of the figures of this return. In that province the Road Board receipts

for that year appeared to amount to £256,643 2s., including a sum of £114,861 11s. 7d. which was in the hands of the Boards at the commencement of the year, and a contribution of £94,203 9s. 1d. from the Provincial Treasury. The figures of the other provinces were exceedingly small beside those of that province. Notwithstanding the number of the local Boards, it was found that they occupied really only a very small area of the colony, and it was felt that it was necessary to establish some system of local government which should be or might be made operative throughout the whole of the colony. To meet the need that, where no Road Boards exist, there should be no want of local administrative power for public purposes, is one of the purposes of this Counties Bill, of which I am now about to propose the second reading. By this Bill the whole colony is proposed to be divided into counties. The boundaries of the counties are given in the schedule of the Bill. A great deal of time has been devoted to the settlement of this question, and it is due to the concurrence of the representatives of the several districts of the colony, and to the aid which they have afforded to the Government, that the scheme has been put into the complete form in which it now is, although I will not say there may not be room for still further amendments. The Bill provides for the election of the County Council by the electors of the several ridings of the county. It provides, after the first Council has been elected and holds office for a shorter period than is proposed to be fixed for subsequent Councils, that the period of the duration of the Council shall be for three years. It also provides for the election of the Chairman of the County. Upon the mode of the election of the Chairman of the Council, I am prepared to find a difference of opinion. Whether or not the Chairman should be elected by the whole body of the electors or ratepayers of the county, or whether he should be elected by the Council itself, is a question which I expect to hear discussed before the measure is finally disposed of. There are certain counties, six in number, the boundaries of which have been defined, which are exempted from the present from the operation of this Act. Three of the counties which are thus exempted are entirely Native districts, and in the others the number of inhabitants is so small that it is unnecessary to attempt to bring the Act into operation in them. By section 11 of the Bill, it is declared that the Council may, at any time within three months after its first meeting, determine that practically, except for one particular purpose, the Act shall not continue in operation in that county. The Bill to that extent is permissive. Clause 71 prescribes what are the duties and functions of the Council of any county in case it is determined that those portions of the Act referred to in the schedule are not to be enforced in that county. The revenues of the county are set out in the Eighth Part of the Bill as follow:—

- "(1.) Rates made and levied as provided by this Act or any Act incorporated therewith;
- "(2.) Tolls levied on county roads, bridges, and ferries, and all rents of such tolls;

- "(3.) Moneys received by the Council under any grant or appropriation by or under or in pursuance of any Act of the General Assembly of New Zealand ;
- "(4.) All moneys payable to the county under the provisions of "The Financial Arrangements Act, 1876 ;"
- "(5.) All rents and profits from property vested in the body corporate ;
- "(6.) All fees, fines, and penalties recovered under the provisions of this Act, or any by-law made thereunder, or of the Acts incorporated therewith, for any offences committed within the county ;
- "(7.) Moneys received by way of loan, as provided in this Act ;
- "(8.) Moneys received by way of subscription or voluntary donation ; and
- "(9.) All other moneys which may become the property of the body corporate of the county."

I shall refer presently to subsection 4, which relates to moneys payable to the county, under the provisions of "The Financial Arrangements Act, 1876." In that Act it is proposed that for a period of five years the payment shall be guaranteed to the local governing bodies of a sum equal to £3 for £1 on the general rates collected by the county or Road Board, to the limit of 1s. in the pound of rateable value of the property. In the Financial Arrangements Bill it is provided that the Land Fund shall be charged, amongst other things, with subsidies to the County Councils, Road Boards, and River Boards in the district. Section 8 of that Act is to the following effect :—

"In respect to the subsidies mentioned in subsection four of section four, there shall be issued and paid during each financial year, in respect of all sums received by way of general rates during the year ending on the 31st day of March previous thereto,—

- "(1.) To each River Board, a sum equal to the sum so received by such Board ;
- "(2.) To each County Council, a sum equal to one-half of the sum so received by such Council, or equal to one-half of the total of the sums so received by all the Road Boards within the county, whichever of such two sums is the greater ;
- "(3.) To each Road Board, a sum ascertained by dividing a sum equal to that hereby payable to each county, amongst all the Road Boards included therein, in the proportion of the general rates so received by each :

but for the purpose of this section no sum shall be deemed to be received by any Council or Board in excess of the sum receivable on a rate of one shilling in the pound of the annual value of rateable property."

Further on, it is provided,—

"The balance of the Land Fund of each district, after payment of the charges mentioned in section four, shall be disposed of as follows :—

- "(1.) If any money is raised as provided by section eleven, and applied to make up any deficiency in the Land Fund, or if any money is advanced from the Consolidated

Fund for such purpose as provided by section fifteen, then the balance of the Land Fund at any time accruing hereafter shall be applied to repay all sums so raised or advanced.

- "(2.) Subject to any such repayments, the balance of land fund mentioned in section four shall be divided amongst the counties in the district as follows :—

"Three-fifths in the proportion of the areas of the several counties in the district ; two-fifths in the proportion of the general rates received as above provided by such several counties and their included road districts."

Section 21 of that Bill provides,—

"All revenues arising in any district, anything in 'The Public Revenues Act, 1867,' or any other Act notwithstanding, under 'The Gold Fields Act, 1866,' or any Act for the time being in force relating to the mining for gold, shall, except as hereinafter provided, be paid into the Public Account to a separate account for such district ; and the Colonial Treasurer shall issue and pay such moneys as herein provided, that is to say,—

- "(1.) All rents or other moneys payable to the Native owners of the land from which revenue has accrued,—to such Native owners ;
- "(2.) The balance,—to the county in which such revenue has accrued ; or if it has accrued in two or more counties, then to such counties in such proportion as the Governor from time to time directs."

Section 23 of that Bill enacts that all gold duties shall be payable to the counties also. There is a further important provision in section 32 of that Bill with reference to those districts in which it has been determined that the Counties Act shall not be brought into force. Provision is made in that section that the portion of the Land Fund which under ordinary circumstances would be the revenue of the county shall be distributed amongst the Road Boards and outlying districts by the County Council itself. Provision is made that, in case of the failure of the Council to discharge the duty imposed upon it, the Governor may step in to superintend the distribution of the money and the carrying out of the required works. So much for the revenue of the county. I shall not weary honorable members by going through the Bill, the main portion of which is machinery. The functions of the Council are defined in Part X. Powers of borrowing, as is usual on those occasions, are also bestowed. The borrowing powers are of two kinds—one a general power, which is limited to twice the value of the rates in the year immediately preceding ; and the other a special power, which is hedged around with such provisions as I think will relieve the minds of honorable gentlemen as to the possibility of its being very much abused. It requires that the borrowing, whenever it is to be done, shall be done with the consent of the ratepayers, and that a poll shall be taken and formal proceedings be instituted before any special loan can be raised. Honorable gentlemen will see that considerable

care has been bestowed to secure the adaptability of this machinery to the existing circumstances, or to any circumstances which may possibly arise in the future. Power is given to the Governor in Council to constitute new counties; and power is given to unite two or more counties into one, and to alter the boundaries. Power is also given to the County Council itself to alter the ridings of the county, and to provide for the merger of Road Boards into the county itself. There are a great many other provisions containing powers which are necessarily conferred upon bodies of this kind, and to which I need not further refer. In clause 212, power is given to the Governor to remedy any defects that may be found to exist in the working of this machinery—a very necessary power when it is considered that the whole Bill is new, and that its administration will, in the first instance, be necessarily confided to hands not perhaps quite experienced in such matters. I move that the Bill be now read a second time.

The Hon. Colonel WHITMORE.—This Bill, in my opinion, is one of the most careful and most excellent measures of its kind that we have had to consider for a long time. It is not possible that perfection can be reached by any person, however ingenious; and what we may think is perfection to-day, a little experience may prove to be not the most efficient and best-contrived system that could have been devised. There must be so much of experiment in any of those Bills that I was glad to hear the Colonial Treasurer say that if the Act did not work well, alterations might hereafter be made. I was also glad to hear the honorable gentleman say that in Committee he thought it probable the Bill might be amended. I perceive that the amendments made in this Bill will rather be based on principle than on mere details. As far as I can see, there are not many details to take exception to. My own idea of the principle on which we ought to proceed with counties would not be quite so bold as the course the Government has taken. I would prefer to have a system of aggregating Road Boards into clusters, so that they might send delegates at certain periods of the year to form what might be called a County Council electing its own chairman merely for the proper carrying on of its deliberations, and constituting themselves entirely into a distributing body to distribute and apportion the funds of the entire county. By so aggregating the Road Boards, a certain harmony might be secured, and the great danger which I apprehend overhangs us in this Bill, of indiscriminate borrowing, and of erecting large political powers in the country, would have been postponed, at least, if not avoided. I would like to have seen ridings as far as possible made to coincide with Road Boards, and I would have liked to have seen the Road Board boundaries in no instance allowed to overlap the boundaries either of ridings or counties. I am sorry to find that in some of the counties in the schedules it is unfortunately the case that parts of a Road Board district are in two or more counties. That cannot be a desirable state of things, and must lead to a good deal of confusion hereafter. I should like

to see clause 6, Part II., which gives the power of merging Road Boards into the county, entirely expunged, because I think our legislation should take a precisely contrary direction to that. We should only by that means have some counties with a short leg—with one riding belonging to the county, and eight other ridings in the neighbourhood of the county. We should thus have something like the same difficulty we always anticipated would happen to the country when certain of the provinces would break down, and would have to be taken over by the General Government. That difficulty was so great that no Government had courage enough to face it, and for a number of years several provinces, which were really not able to carry on, were subsidized and kept just alive rather than they should be merged. I hope our legislation will take the direction of making the Road Boards and ridings coincide, and the County Council simply a meeting of the chairmen of the various Road Boards for purposes of mutual interest. I think it will be found to be a very serious difficulty if one riding or Road Board is in a different category from the rest; and I think, as the Road Boards have been an acknowledged success throughout the colony, there ought to be no loophole given by which, in consequence of a quarrel among themselves at a particular epoch, the inhabitants of a road district might destroy the form of local administration which has been found so beneficial. I think it would be wonderful if those who think with me upon the nature of the constitution of Councils should not be opposed to the election of the Chairman of the Council by the whole of the ratepayers of the county. I think that will not only lead to a conflict of authority, but will delay the period when a more natural, more economical, and more simple form of government shall come about—when the Chairman of the county shall be simply the president of a meeting of associated chairmen of Road Boards. I wish also to say that I see another great difficulty in the election of the County Chairman by the whole of the ratepayers. In the province in which I have lived ever since I have been in this country, as simple, economical, and efficient a form of local self-government has been adopted as could possibly be suggested. In that province the Superintendent is elected by the Council, and he consequently is not the master of the Council, as he would be if he were elected by a *plebiscitum* as is proposed in this Bill at present. He is the servant of the Provincial Council. I think that is the position he ought to occupy; and there can be no doubt that harmony between the Chairman and the Council will be insured if that system is in force. That harmony does not always exist under the other systems, as we have seen in the Parliaments of other days. The counties now proposed to be established are like what the provinces have been in times past, and we shall see the same difficulties arise as we have seen in times past. If we are to have the Chairmen of counties elected by the whole body of ratepayers—by manhood suffrage, in fact—why should we not have the same system of voting in regard to the

raising of loans? The fact is that we are not to be allowed to vote by our qualifications as electors in regard to the matter which touches us most nearly—namely, the raising of money by loan. In the election of the County Council, a plurality of votes is allowed in proportion to the amount of the property which the electors hold. I should have thought that, if there was one single occasion on which a person should vote in respect of his property, and use a plural vote, it would be in just that particular case of the raising of loans. Yet in that case, and in the election of County Chairmen, there is to be no plurality of votes at all. I hope that the proposed mode of electing the Chairmen will not be agreed to by the Council; but I do trust that the Council will go a little further, and insert in the Bill some clause allowing the owners of property a plurality of votes in proportion to the property they hold. I think that the Chairman ought, if he is a paid officer, to be disqualified from holding a seat in Parliament. My reason for this is that in times past great difficulties have arisen in regard to the Superintendents of provinces and other paid officers in Parliament; and I look on this as a direct inducement for people to make a profession of politics for the sake of the pay that is attached to it. Once in Parliament, such people know that their maintenance in Parliament depends on how much they can screw out of the Government. Part IX. of the Bill refers to the ordinary loans, such as those which we struck out when the Municipal Corporations Bill was before us. I should be disposed to strike that provision for borrowing out of the Bill altogether, unless the plurality of votes is allowed, in which case I think no great harm could be done. I should, however, like to see a clause introduced to provide for a sinking fund of $\frac{1}{2}$ per cent. on all loans. I have been asked by the Superintendent of the province in which I live to try to restore the boundaries of the province. By some accident, the Provincial Engineer gave the wrong boundaries, but this had escaped notice until the boundaries were printed in the schedule to this Bill. Honorable members will see that it is not only reasonable to desire that the proper boundaries should be set forth, but that it is desirable also. I will vote for the second reading of the Bill, and hope that in Committee the Government will propose amendments in the direction I have indicated.

* The Hon. Mr. WATERHOUSE.—Sir, one of the main objects of this Bill appears to be to create a machinery for grinding out fresh taxes from the body politic. I expect that this will be the only permanent endowment that the public at large will receive from the abolition of the provincial system of government. The public at large were led to acquiesce in the change of the form of government from the belief that they were to receive permanent and substantial endowments; but those permanent and substantial endowments have been gradually decreasing. They were last year £1, and now they are reduced to one-half the promised amount. "Men may come and men may go," but this machinery will "go on for ever." Our substantial en-

dowments may go, but this taxing machine will remain for ever, and landowners will be in the position of the milch cow which has two owners, each of whom tries to get the last drop out of her. This Bill is no doubt the result of the determination of Parliament last session to abolish Provincialism. I cannot but express my regret that the administrative machinery is not of a more simple character. I believe the whole ends to be obtained would have been obtained by the establishment of a simple machinery, instead of the one now proposed—something, in fact, like what is known in some parts of the Australian colonies as the "Main Road Board system." Had that been done, had such Main Road Board in each province been elected by the various road districts, and intrusted with the superintendence over and the maintenance of the main lines of road, all the machinery actually necessitated by the abolition of the provinces would have been provided. My honorable friend Dr. Pollen has stated that this Bill is of a permissive character; but I will point out that, though it is permissive in name, it is not so in reality. It is optional for the County Boards under this Bill to avail themselves of the administrative clauses of the Bill, but there is no provision for the discharge of the duties that must devolve upon somebody if they do not come under the Act. The main lines of road are intrusted to the County Boards; but if the County Boards decline to bring themselves under the provisions of this Act, there will in point of fact be nobody to take charge of the main roads. The result will be that the Boards will—whether they like it or not—be forced to come under the operation of the Bill. It is all very well to say that the Bill is of a permissive character, but I think that in operation it will be found to be of an entirely opposite nature. I am certain that the County Boards will not be in existence many months before they will find it absolutely necessary to bring themselves under this Act. The Hon. Colonel Whitmore has referred to various parts of the Bill which must engage our serious attention in Committee; and I hope that the same principle will be adopted in this Bill which we have adopted in the Municipal Corporations Bill, and that it will be provided that whatever borrowing is to take place under this Bill will have to take place with the consent of the ratepayers; and I also trust that when such consent is obtained, and when the poll is taken, it will be recognized that persons pecuniarily concerned should have voting power proportionate to the responsibilities that will attach to their properties consequent on the liabilities being incurred by the counties. I notice a considerable deviation in this Bill from that which we were told last year would be brought down. I gather from the context of the Bill that it was originally designed that the boundaries of the counties should, where Road Boards existed, be coterminous with the boundaries of the Road Boards; but I wish to draw attention to the fact that that is not the case in many instances. In the Province of Wellington there are only eight Road Boards; and it is now proposed that there shall be in this province six

counties, and I think it will be found that, consequent on the reduction in the number, the boundaries of the Road Boards in some cases overlap the boundaries of the counties. This is the case with the two Counties of Wairarapa East and Wairarapa West. In the Wairarapa district there are three Road Boards, and these are now divided into two counties, and each county comprises one-half of the road districts. Difficulties will consequently arise, owing to the fact that the principle originally intended to be carried out has been departed from. I call the attention of the Hon. Dr. Pollen to this matter now, in order that steps may be taken to remedy it in Committee. I shall approach the Bill with an anxious desire to improve it, where it is capable of improvement; and I shall certainly not oppose its second reading.

* The Hon. Captain FRASER.—I was not here last year when certain revolutionary measures were introduced, and I have not had an opportunity of expressing my opinion about them. I will do so now, and very shortly. In all climes, Sir, and in all ages, when a revolution has been brought about, it has been either by a successful military leader or by the surging up of the mass against long oppression and in defence of sacred rights. But in this quiet colony of ours, what took place? A revolution was initiated not by pressure from without, not by pressure from within, not after long and statesmanlike deliberation, but on the spur of the moment, when smarting under the stinging sarcasms of a political opponent, the Premier of this colony issued his fiat, "Provincial institutions are abolished in the North Island." It is very easy to initiate a revolution; it is very easy to set a stone in motion downhill; but, Sir, when once the hand leaves the stone all controlling and guiding power is lost. When Sir Julius Vogel returned to this country, he found that the revolutionary stone had made a bound, and that after a great struggle the Abolition of Provinces Act was carried by a compromise. At the commencement of this session, no doubt it was thought that the revolutionary stone would roll on very quietly. But apparently the Constitutionalists had made a way, and almost on the first day of the session the revolutionary stone went with a plunge into the Piako Swamp. Then we saw for nights and days and weeks a fierce struggle between the Revolutionists and the Constitutionalists, the one wishing to take the stone out of the mire, the other to bury it for ever there. But, Sir, Providence, like an honorable friend of mine, generally votes on the side of the majority, and Providence willed that the stone should roll outward and onward. As soon as the slime of the Piako Swamp was cleared from the stone, the Constitutionalists saw with joy that there was a rent in it, and they fiercely attacked it with sledge-hammer blows to break it asunder. They would have succeeded, and put an end to the revolution, but the Shepherd Kings of Canterbury intervened their wool bales, and the revolutionary stone rolled on, and it continues to roll. I hope it will soon be arrested by the magic wand of justice and power wielded by our good

Queen. I have passed over the greater part of this planet, and I have seen tricks of jugglery in all parts of the world, but I must say I never yet saw such an extraordinary trick of jugglery as that which has been perpetrated by the present Government—that of making one-half of the Constitution swallow up the other half. This ill-digested Bill which I hold in my hand is the excrementized production of that operation, and this Council is called upon to deodorize it, and make it sweet, so that it should be spread broadcast over the colony to fertilize it, and bring into existence next session forty or fifty Chairmen of Councils, who will all, as children of the horse-leech, come up here as members of this Parliament, making it utterly impossible to carry on constitutional or any other form of government. Having said that much, I do not intend to add much more on the subject at present, but may have an opportunity by-and-by. This ill-digested Bill is full of that epidemic which has done so much harm in this country during the last seven years—I mean the borrowing power, Municipal Corporations, Harbour Boards, County Councils, all having borrowing powers; and I trust this Council will put its foot down strongly upon the borrowing power. About twelve years ago an Imperial Act was passed, giving permission to trustees to invest trust money in Indian railway securities. Last year when I was at Home those securities began to get a little shaky. There were signs of a disturbance in India; and the financial papers took the question up, and they said that, the Imperial Government having given permission to invest moneys in such a manner, they were morally, and might be considered legally, liable. Now, if we are going to give permission to all these bodies to borrow money, the Government will become liable, or our credit will be dragged through the mire. There are several points in regard to the Bill which I intend to call the attention of the Government to when we are in Committee. A very curious circumstance has happened in regard to one of the counties in which I take a great interest, and with which I have for many years been associated. The name of that county has been changed. I do not know why it has been changed, or how it has been changed, or after whom it is called. I trust it is not called after any of that flight of harpies who accompanied the honest digger from Australia—those harpies who have been so well described by the poet of Mantua. I never look upon one of that obese class without thinking that he has fattened on the blood of the miners. If that is the case, there will be a rising up of every man in that county, who will consider it a personal insult offered to himself. The neighbouring county is called after one of the largest lakes in the colony—the Wakatipu; and why not call this county after another large lake, and maintain the Maori names as long as possible? Why not call it the Hawea? and let the pure waters of the Hawea wash out the present ignoble name attached to the county.

* The Hon. Mr. HOLMES.—Sir, I have not had an opportunity of even reading this Bill through, and therefore I cannot discuss it as I

otherwise might be inclined to do. But in glancing over it, I noticed certain peculiarities in the Bill upon which I wish to make a few observations. The first matter has already been referred to—the borrowing. Borrowing for ordinary purposes, to the extent of two years' income, I do not object to, because it does not involve the county in any very serious obligation. But borrowing for special purposes I do object to, because it is without limit, and because it virtually involves taxation without proper representation. In some of the counties that cover a large area, a majority of the population are miners. They are not landowners, and they will virtually have the taxation of the landowners in their own hands, because they are in a numerical majority. Now it is altogether against what we consider fair and just that the parties who are to pay the taxes should be overridden, and have no voice in fixing the incidence of taxation. For example, in some districts that I am acquainted with there will be three miners to one landowner, and the majority will have the power to initiate borrowing to any extent; while those who have to pay the taxes will only be able to stand by and observe what is done—they will be powerless in the matter. I think that is an anomaly that should not be permitted to remain in the Bill. Then again there is the old drawback that I have so frequently raised my voice against—namely, borrowing money at a high rate of interest, on the plea that the Colonial Government is not liable for it. What is this money borrowed for, but for purposes which a Government such as that of New Zealand, taking upon itself the affairs of the whole colony, is bound to carry out? And if money is borrowed for such purposes, is it to be supposed that the colony is not liable for it? For example, the making of main roads throughout the colony is a work similar in character to making railways; and if it is the duty of the Government to do the one, it is equally its duty to do the other. And the repayment of money borrowed for such a purpose may be fairly expected from the Colonial Government. Any caveat against the liability of the Colonial Government would, I believe, not be entertained should the question ever arise in a Court of law. Besides, the loss to the colony in borrowing money at 7 per cent., when it could be got at a lower rate by the Colonial Government, is surely a waste. All the colonies in good credit, such as Queensland, New South Wales, the Dominion of Canada, get their money at an average of 93 for 4 per cent. debentures; while this colony, not in such good credit, has only to pay 5 per cent. for the debentures at par. There is a clear loss, over borrowing by the Colonial Government, of 2 per cent., and that, on a large sum of money, involves a considerable waste to the colony; because whatever is a waste to a portion of the colony, or to the people of the colony, is a waste to the colony itself. I have protested against such a course repeatedly in other sessions, and I again draw attention to it, and protest against wasting the borrowing power of the colony, and losing a clear 2 per cent. on all the money required for these purposes. We

talk about a paternal Government. Is it the act of a paternal Government to allow the people to be placed in a false position such as this? There is another subject closely connected with this. I have recently been at Home, and I have been frequently spoken to with regard to the difficulty of finding out the actual liabilities of New Zealand. Every person connected with the Stock Exchange, or with financial matters, can tell you that New Zealand has a certain amount of debentures—say seventeen and a half millions—floating in London. But they say truly they can find no record whatever of the outside indebtedness of New Zealand; because scarcely a week passes in which there are not applications for the floating of small loans for harbours, docks, and other purposes, by local bodies. That is unsatisfactory, because, on the London market, the calculation is that the amount of borrowing in the aggregate is not greater than we can really afford to pay. Another objection I have to the Bill is that the counties are too large. I have before me a map of the amended counties, and I observe that some of the counties are 120 miles long. Wallace, for instance, extends from Bligh Sound to the Bluff. At the extreme southern point there is a certain class of people; in the centre there is a different class; and in the interior there are pastoral tenants and landowners. How is it possible to work a county 120 miles long by about thirty or forty miles wide from any one point, or to get persons to represent the different ridings in that county, and to meet at any given point to transact business? I consider there is a fatal objection to the Bill in that respect, and an alteration will have to be made in Committee. At any rate it is imperative that facilities should be given for dividing these large counties into smaller and workable ones. The administrative difficulty otherwise will be found to be almost insuperable. This county to which I have referred contains more than a million acres. This would be perpetuating and intensifying the system of centralizing we have just been getting rid of—the provincial system. I believe that, if these large counties are created as they appear on the map, nearly every shilling of the money derived from the interior of the country will be spent near the coast or in the settled districts, and the parties contributing largely to the revenues of the counties will be deprived of any participation in the outlay of the money. There is another county side by side with that of Wallace, and covering almost as great an area. In every case there are natural barriers that would indicate where the divisions should take place. I have also another objection to the manner in which the counties have been laid off,—namely, that, instead of taking the watershed, as has been done in every case, the rivers should have been taken; because the river is the natural boundary and separates the interests of the different localities. Generally speaking, the effect of a river running through a particular locality is to determine the character of the land and the pursuits of the people on each side of it. Reference has been made to the ridings. I think Road Boards, as they are

already in existence, would have been better. The amalgamation of a certain number of Road Boards forming a county would, I believe, be a better arrangement than the present. The only paid member of the County Council is to be the Chairman; but in order to prevent any log-rolling, either with regard to the appointment or the emoluments, it would be wise, I think, if we were to fix the salary, and that it should not exceed a certain sum. In the marginal notes to the Bill, a member of Parliament is prohibited from becoming Chairman. That, however, is not incorporated in the body of the Bill. I think it should be, because, generally speaking, the most available men are members of Parliament; but there is this drawback: that in the future the very shortest time they may be expected to be away from the districts in which they reside will be four months, and I think it would be much better if they were excluded from any participation in carrying out this Act. There are plenty of men in each of the districts quite qualified to take the position of Chairman, and I think it would be wise to reintroduce that part of the clause providing that members of Parliament should not be Chairmen of County Councils. We expected that the whole gist of the measure would be to introduce cheap local self-government—that the people should govern themselves in an inexpensive manner; we should not permit large salaries to be given to the Chairmen, to begin a system that we have discontinued by the abolition of the provinces. With these remarks I shall support the second reading of the Bill; but I should like to see it amended somewhat in the direction that I have indicated.

* The Hon. Mr. BONAR.—As there appears to be a considerable feeling of unanimity on the part of the Council in favour of the second reading of this Bill, it is not my intention to offer any remarks at length with reference to it. As has been truly said, it is the natural sequence to the policy of abolition that was brought before the country, and affirmed by such a large majority of the whole colony; and I think the Government have reason to be congratulated upon having submitted to this Council a Bill drawn so carefully, and providing so fully for the benefits of local self-government—the object which we have all had in view for such a length of time. It appears to me that the Bill now before us provides to the very fullest extent that local control and that local administration of affairs which ought to be conducted by local Governments without their being hampered with such unnecessary powers of legislation as made them so obnoxious in former days. In common with some honorable gentlemen who have spoken on this Bill, I should like, if it were possible to attain it, to have seen a system of local government not hampered with the machinery which undoubtedly surrounds the local government in the present measure. And it has been a matter of very frequent and careful thought with me as to whether such simpler system could not be adopted; but the more I have reflected upon the matter, the more I have found that it is a perfect impossibility to obtain complete simplicity of government, and at the

same time surround it with all those necessary checks which are so essential to good government. For that reason I have come to the conclusion that at all events, as far as my own mind goes, I shall not be able to suggest any improved form by which the machinery of government can be simplified. It has been suggested—and it is a suggestion that occurred to my own mind also—whether the same result could not have been attained by placing the power of election in the hands of the Road Boards, and from these bodies forming a central body such as the County Council, that would take the administration of main roads and matters of general interest, which, we know perfectly well from our own experience, cannot be efficiently managed by the simple Road Boards. In considering that question, I felt that to adopt such a system as that would be to make the scheme almost unworkable. I felt that each representative from each particular Road Board would come in a concentrated form with his own particular ideas for his own particular place, and that thereby the general interest would suffer very materially, more especially as the numbers that would constitute the County Councils would be so small that log-rolling to a considerable extent would prevail, and no satisfactory result would follow. I have had some experience in connection with the conferences of Chairmen of Road Boards, and my experience has been that the result of their meeting has been unsatisfactory in the extreme. Each wanted, in the first place, that his own particular road district should be specially benefited; and then, jumping suddenly from that position, they assumed to themselves powers which the General Assembly itself even would not assume. That has been my own experience, and I think it is by comparing the results of experience in different localities that we shall be able to arrive at a satisfactory solution of the problem. So far as my own mind is concerned, I felt myself obliged to discard the idea that representatives chosen by the Road Boards would give us a satisfactory administrative body to control the general expenditure upon works within any particular district or county. There is one feature which I think is of special advantage in connection with the particulars of this Bill, and that is as to the mode of election of County Chairman. Having been connected with the only county that was in existence in the colony before abolition, I can speak with some authority as to the system of election by the County Council itself. Our experience of that mode of election in Westland was unsatisfactory in the extreme. The fact also that there was a salary attached to that office made it still more difficult to arrive at a really satisfactory conclusion, or at such a conclusion as we felt to be in accord with the feelings of the bulk of the people whom the Chairman was called upon to represent. The feeling, if not of all, at any rate of a very large majority, after their experience of the system of election by the Council, was undoubtedly to condemn it, and to insist upon the election being made by the whole body of the people. I think by the latter means a very much fairer representation of the people is

arrived at; and I do not think it will be found under that system that in the practical administration of the affairs of the county there will be any serious clashing between the Chairman elected by the people and the members also elected by the people, more especially if those special powers that were intrusted to the Superintendent under the old Constitution Act are removed, and when no system of legislation has to be adopted, and where such serious responsibility does not devolve upon the Chairman of the Council as at present rests upon the Superintendent, who has the initiation of all matters relating to the expenditure of money. I therefore view this with great satisfaction; and I join with the Hon. Mr. Holmes in saying that I trust the provision inserted in this Bill with reference to the payment of County Chairmen will not be pushed to any extreme. It does appear to be necessary to make provision in the Bill to enable the Council to do so, if they think proper; but I would have been very glad if it were possible to allow the Council to have that power, and at the same time to strike this clause out of the Bill altogether. I recognize that possibly some remuneration will have to be given to the occupant of this office, which in the case of large counties will no doubt be one of considerable responsibility, and will involve duties which cannot be expected to be performed without some payment. I hold that it is the greatest mistake, where a large sacrifice of time and a great amount of attention are required, to make the acceptance of such offices a purely honorary matter. I think the work is in a great majority of cases not so well done. Those interested cannot find fault, because the work is simply done as an act of grace. There is, I think, another very good provision in the Bill which will meet the difficulty probably of some of those places where there are already large Road Boards having considerable revenue, and where those Road Boards are in reality able to perform all the duties of a county. I refer to the permission given by which a county may be established only in form and not in reality. There was a matter which, I think, is of very great importance, referred to by some of the speakers, in reference to the power of borrowing. From what I understood to be the feeling of the Council with reference to general loans, as expressed in the discussion on the Municipal Corporations' Bill, I take it that the Council will make some alteration in the Counties Bill of the same nature as has been made in the former Bill. I think, on reflection, that such a course will be the correct one to adopt. Although the extent of borrowing is limited, still I think it is very much better that we should insist upon all loans going through the ordeal provided here for special loans, and simply give the counties power to borrow in the same way as Municipal Corporations, by allowing an overdraft to the amount of two years' revenue. This will give enough money if any special emergency arises, and I think it will bring the ratepayers and the borrowers face to face, and will certainly insure that close supervision of borrowing which, I think, is the great protection we have against those numerous loans. There was one matter specially referred to by two honor-

able gentlemen upon which, it appears to me, they are under a misapprehension. That is with reference to the exceptional mode of treatment as to voting on those special loans and at the elections for County Chairmen. I understood the Hon. Colonel Whitmore to refer to manhood suffrage as being exercised.

The Hon. Colonel WHITMORE.—I said that the present electoral privilege amounted nearly to manhood suffrage.

* The Hon. Mr. BONAR.—I think there is a marked difference between manhood suffrage and a qualification to vote based on the payment of rates. I think the mere fact of being rated, and of being obliged to contribute towards the revenue of the country, certainly gives a fair right to vote; and, while I do not approve at all of manhood suffrage, I do approve of the system of voting laid down in this Bill. The matter I especially intend to refer to is with reference to voting on special loans. I understood the Hon. Mr. Waterhouse and the Hon. Colonel Whitmore to say that the system of plurality of voting—which, after all, is a protection of property—is not included in this particular form of voting. Now, perhaps I may be mistaken; but I would submit to those honorable gentlemen my view of the matter. I see in subsection 6 of the 150th clause—which provides for taking the poll—that the poll shall be taken under the provisions of "The Regulation of Local Elections Act, 1876;" and I find, on referring to that Act, that the 26th clause says,—

"Every person proposing to vote shall inform the Returning Officer of his name, and the Returning Officer shall satisfy himself, by reference to the roll, or by inspection of the miner's right shown, that such person is entitled to vote, and has not already voted, and shall thereupon deliver to him as many voting papers as he requires, not exceeding the number of votes which he is entitled to give.

Again in a subsequent clause,—

"All the voting papers to which any voter is entitled shall be given to him at the same time."

If I understand that aright, it implies that plurality of voting, as it appears in the prepared roll, shall be exercised in the matter of special rating in the same way as on other occasions. I think that meets the difficulty suggested. If it does not, I certainly agree that some provision should be inserted which would give the same right of plurality of voting in the matter of special loans as on other occasions. I would also point out to the Hon. Mr. Holmes—who objected, apparently, to the right of miners voting under their qualification, on the ground that in some districts miners would be as three to one to those who would be called upon to pay rates—that these miners are themselves taxed to a very large extent, and that their revenue, independent of the power of rating over their property such as it is, would also have to be security, and would have to go towards the redemption of loans that might be raised by their votes. Therefore I think that objection will be removed. With reference to the duties of the Council, I think most matters are specified in Part X. of this Act. I am not

quite clear with reference to charitable institutions, referred to in clause 193. I see the County Councils have power to make provision for hospitals and charitable institutions within the county; but I do not see the provision which I think existed in some former Bills by which the boroughs and counties could unite in the matter of hospitals. Now, as a rule, the hospitals, from which the country receives by far the larger amount of benefit, are situated within the borough, and are to a very large extent supported by the borough. At all events, in our part of the country—where the Government subscribes two-thirds and the people one-third of the revenue—the people within the towns are called upon to pay a very much larger proportionate share than the people in the country. Although we have the county divided into separate districts, and make every district responsible for the patients coming from it, still people, when they fall ill, naturally come to town, and when they have been there for some time they are admitted into the hospital as patients from the town, and of course that is charged upon the people of the borough. I think some provision ought to be made by which the expenses of such charitable institutions should be borne in some proportion to the benefits derived from them. There is another matter which I do not see any notice taken of in the Bill. That is with reference to cemeteries. We know that around all small townships one of the first things required is a cemetery; and from my own experience, I know there has been very great difficulty, owing to the absence of proper regulations for managing those cemeteries, in having them maintained in that proper and decent order which I think we all desire so much. I would be glad to see some provision introduced into this Bill giving the Council power to regulate and make rules for the proper and efficient administration of cemeteries. There is only one other matter which occurs to me at present, and that is with reference to the question whether it is desirable that the Chairmen of these counties should be permitted to sit in Parliament. Upon this point I may say I feel considerable doubt. I feel that probably, if any number of gentlemen, being Chairmen of counties, come up to Parliament, they will be charged with some particular local ideas which may frequently outweigh their better judgment in matters of general importance. But I feel that, with the great number of counties we shall have, and with the number of people who will come from the Councils, we shall be protected by the feelings of one against the other. I think that, by excluding them from Parliament, we may exclude the counties from benefiting by the services of many persons perhaps better fitted to occupy the position than others who feel no interest in and have no acquaintance with parliamentary duties. I am inclined to think at present, although open to argument, that we shall be doing no great harm by allowing the Chairmen of the County Councils to sit in Parliament. With regard to the size of the counties, I think that is a matter which will necessarily adjust itself. I agree that it is de-

sirable that ridings and road districts should be identical. I think that the experience of two or three years' working of the system will enable us to adapt it thoroughly to the circumstances of the country. Perhaps I have entered into matters of detail, which should be properly considered in Committee; but I did not like to allow this opportunity to pass without expressing the views I had formed respecting this important Bill.

* The Hon. Mr. MENZIES.—I feel that, in this Bill, we are making provision for a system of administering local government after Provincial Governments are removed; and, being fully impressed with the conviction that we cannot hope, in this session, to make provisions such as will be permanently acceptable, I am willing to accept anything that is likely to be practicable, without much cavilling or criticism. For that reason I shall support this Bill generally, although, in a few points of detail, I may be disposed to suggest some amendments. But even with this determination to support the Bill, I cannot allow the second reading to pass without expressing an opinion upon the subject. I must say that I am not satisfied with this measure, and I am equally certain that the public will not be satisfied with it. It seems to me that a radical mistake has been made in its construction. Several honorable members have already pointed out that the ridings should be road districts, and that belief I entirely concur in. I hold that we should have taken as the unit the existing Road Boards, and divided the county into Road Boards, or kept the county under the administration of the country as outlying districts, till the population in those districts desired to have Road Boards passed. I think the County Council should be composed of the Chairmen of the Road Boards within the county, and two or more members elected within each riding or road district. If the counties had been subdivided into ridings, and the ridings made simply identical with the road districts, I believe the best form of local government would have been obtained. Under this Bill, Road Boards may become merged in the counties. I think it would be a most deplorable mistake if the Road Boards were extinguished. It would fail to give what I am certain the colony most desires to have—namely, the administration of local affairs subdivided and extended to road districts, municipalities, parishes if you will—to have them subdivided and extended, so that each little community that has a certain amount of unity of interest shall be able to manage the affairs pertaining to itself. I would refer to a quotation I made last year on the question of the abolition of provinces, and the Council will perhaps excuse me for refreshing their recollection. It is a quotation from Palgrave, and is as follows:—

"Might we not more simply say that the first, often the only officer of Governments, is that of magistrate; their capital affair to assure their subjects the quiet enjoyment of their life, their household honor, and their property. For these they are responsible to those they govern; for the rest, let individuals, corporations, villages,

towns, shires, and provinces arrange their own matters as they see best. . . . Men very commonly get on all the better for not being meddled with."

Now, that is the idea to be carried out, if we take the road districts or ridings as units. Let them choose the County Councils, and let there be a clear distinction drawn between the functions which each are to exercise. If the County Councils have only the arterial roads and bridges on them under their control, they will have very little to do for a time; but, undoubtedly, as time passes on, other legal powers will be added to them, and by-and-by they will become a very important power in the State. That is my great objection to the Bill. I believe it will become necessary to bring in amending Bills from time to time, until the public generally come to recognize what they want, and will be able to express it. I do not believe they now know what would be best, or would be able to choose. At the same time, although I do not coincide with some of the fundamental propositions in the Bill, I am not prepared to offer any obstruction to its passing, because I do not think that any amount of care we might bestow on the Bill would enable us to produce a measure that would give satisfaction, if it was found in practice to work unfairly or inconveniently. I am firmly impressed with the idea which was touched upon by the Hon. Mr. Hall in one of the earliest debates this session, who, in anticipation of the measures to be brought in this session to replace the form of local government we had determined to remove, said that the replacement of satisfactory institutions would not be the work of one, but of many sessions. And I would add to that the reflection of one of our most thoughtful writers—Helps—who says, "No great State was ever built up without much toil, self-sacrifice, and renunciation on the part of many noble persons through many generations." And we shall find that, before we frame our new institutions in such a manner as to give general satisfaction, we shall have to spend many sessions in debating and discussing them. Therefore I hold our most prudent course would be to amend the Bill in such details as are most obviously objectionable, but to accept the skeleton—the framework—without much objection, and from time to time to amend it in those directions in which we see amendments most required.

* The Hon. Mr. HALL.—As an allusion has been made by the Hon. Mr. Menzies to a suggestion which fell from me at the commencement of the session, I desire, in order to prevent misunderstanding, to state that this Bill, as it stands, is not my idea of what the best measure of local self-government for the colony would be. But I am free to admit that the difficulties of elaborating any thoroughly satisfactory measure have shown themselves even greater than I thought they would be at the commencement of the session: therefore I am prepared to vote for the second reading of this Bill, and to endeavour to give every assistance to the introduction of improvements in Committee. Although my opinions are different from those of many of my friends

whose opinions are entitled to great respect, I think it would be better if we could elaborate a scheme by which the County Board might have been elected by the various Road Boards. It is quite true that there is this great difficulty: that in a part of the colony there are no Road Boards; yet in all parts of the colony we require some provision for local self-government to take the place of that which we are abolishing. Still, I think an attempt might have been made even to get over that difficulty; but as a contrary course has been decided upon, I think we shall but do our duty to the country by endeavouring to do the best we can with this measure. I would mention, in support of my view, that, so far as I can gather, a system of that kind has worked well in the southern part of the province from which I come. We have there a Board of Works, with nothing like such large powers as the proposed counties are to have, but which has had the expenditure of a very large sum of money. Its members have been elected by the various Road Boards; it has elected its own Chairman, and, as far as I can gather, it has done its work very well, in an unostentatious, practical, and inexpensive manner, which I think it will be very fortunate if those counties equal. I do not mean to say that complaints have not been made against that Board; but I believe that, after experience of the working of the proposed new Boards, the residents in that part of the country will look back to the Timaru and Gladstone Board of Works as a body which has deserved well of that part of the country. The difficulty of elaborating any thoroughly satisfactory measure arises, to a very great extent, out of this fact, that we have no uniform set of circumstances to deal with in this colony. There is in this Colony of New Zealand, perhaps more than in any other country on the face of the globe, a great variety of different local circumstances in different parts of the country; and it seems impossible to devise a measure for one part of the colony which would be quite suitable to another; and that is why I feel strongly the opinion the Hon. Mr. Menzies alluded to, that it will take a very long time before we can elaborate any system of local government in this colony which will work well. That is the reason why I, for myself, say now, as I have said before, that I would have been very glad to see the provincial system of government continued in the southern part of the colony. In the North it could not live, but in the South I do not believe its work was done. It still had revenues to spend; it had work to do, and, on the whole, in the larger Provinces of Canterbury and Otago it worked well; and, with all its faults, I think we shall be fortunate if we introduce a system which will give as much satisfaction in those provinces as Provincial Governments have done. I say "in the provinces," because, in my humble opinion, the greatest evils of Provincial Governments have not been traceable in the provinces, but in the General Assembly. The Superintendents and the gentlemen allied with them, session after session and year after year, came to the sitting of the Assembly much more im-

pressed with the sense of what was due to their provinces than of what was due to the colony, and were prepared to sacrifice the interests of the colony to the interests of their provinces. That is, to my mind, the real reason for the abolition of the provincial form of government. If Provincialism had been abolished in those parts of the colony where Provincial Governments could not be carried on any longer, I do not think the power of the Superintendents of the remaining provinces would have been so formidable as to be a serious obstacle in the way of the Colonial Government. But what we have to do now is to try and find out the best system of local government for the future; and I would suggest that we should familiarize ourselves with this idea, that it may be desirable that we should not insist upon absolute uniformity—that we should remember that what suits one part of the colony may not suit another. Of course we cannot expect to arrive at that at once, but year by year we may find that we shall be able to make improvements. With regard to one or two salient points of the Bill now before us, I agree with those honorable gentlemen who think that the mode of electing the Chairmen of counties proposed in this Bill is not the best that can be adopted. The person whom I should like to see holding the office of County Chairman is a good man of business. He will not be the social or political head of the county, but simply the presiding member at the Council meetings, and to carry on the routine business of the county; and therefore, as has been said, the best man we can get for that may not be the most likely to get the most support in an election contest. In other words, the best Chairman might not be the best candidate. I think we might find many men willing to accept the position of Chairmen of counties, who would not be disposed to go through the excitement, the expense, and the trouble of an election. I think that, if we adopt the mode of election suggested in the Bill, we shall lessen the chances of getting the best men; and in Committee I shall be prepared to vote for an alteration of the system now proposed. If in the election of a Chairman each elector has only one vote, while for the election of the County Council each elector may have a plurality of votes, it is probable that you may be creating a feeling of antagonism between the Council and the Chairman. The Councillors will to some extent represent property, while the Chairman will represent the people, and the latter may be constantly saying to the former, "I represent the people and you do not." There is danger of that: I also think it may be desirable to remunerate the Chairmen of counties where large demands may be made upon their time; but I do not think this should be put so prominently in the Bill as it is now. I think that if they are paid they ought not to have seats in the Assembly. There would be great inconsistency in our trying to make our Disqualification Act more and more stringent if we are to allow paid officers of the county to have seats in the Assembly. I can only say, in conclusion, that, in whatever shape the Bill may pass,

I shall do my best to make it a workable measure.

The Hon. Mr. ROBINSON.—Sir, it was not my intention to have said a word on this occasion, particularly after hearing the able speech of my honorable friend Mr. Bonar; but in consequence of what has been said, I feel bound to make a few remarks. For many years past I have been strongly opposed to Provincialism; but since I saw this Bill come down to this Council, I certainly must confess that I greatly regret that the Abolition Bill ever became law. As the Hon. Mr. Hall has said, it will be very difficult indeed, in consequence of the great difference in the topographical features of the country, to frame a measure that will be satisfactory to all parts of it. The Hon. Mr. Holmes alluded this evening to the size of the counties. Now, I know of a county of over one hundred miles in length, and that county is absolutely divided in one direction by the Kaikoura Range. In fact it is impossible to get from one end of the county to another during three months of the year. And then another part of the county is divided by a very high range, which cannot be got over except on horseback at certain seasons of the year. This is a very unworkable kind of thing. It has been said that we must bring in some Bill; but, to my mind, we did not want such a measure as this. We have got the Road Boards to fall back upon. The Chairmen of Road Boards could have called meetings of the Boards in districts where there were Road Boards; and in places where Road Boards did not exist, it would have been very easy for the Government to have stepped in and provided for a difficulty of that kind. The fact is, that this Bill proposes to inflict upon us all the evils of Provincialism, but without giving us any of its good qualities. As my honorable friend Mr. Holmes very pertinently asked, why should we have so many borrowing powers in the colony? Are we going to start *de novo*, and put a debt on the country by means of the debentures of these counties? If we have so many different borrowing powers, we shall probably have to consolidate the loans. I know it will be maintained that these borrowing powers will be granted to the counties in such a way that the colony will not be responsible for their debts; but though we may not legally be liable, we shall be liable equitably for all the debts of these County Councils, Municipalities, Harbour Boards, boroughs, &c. When all these debentures are floating about the country, what will the people in London say when our debentures are offered to them? They will say, "We do not know what these people owe outside;" and I think it would be only a reasonable thing for them to say. I do not like this measure at all; and although I am not going to offer any opposition to it, I cannot sit down without saying that if my vote were to throw out this Bill entirely I would give it with all my heart. I think it would be much better to have the Chairmen of these County Councils elected by the Councils themselves. I entirely agree with the Hon. Mr. Holmes's remarks upon this point. I thoroughly agree that a person who would be a good Chairman of a

County Board very probably would not be considered so by the people in general, who would under this Bill have the option of electing him. As far as the question of allowing the Chairmen of counties to hold seats in this Assembly is concerned, I should be opposed to their doing so, whether they were paid or not. I imagine that a salary would be attached to the office of Chairman; and whether he took it or not, I should certainly object to his having a seat in Parliament. There would be a chance of the House of Representatives being composed of members of County Councils; and if that were the case, they could simply do what they liked. They could band themselves together and carry everything that they wished, and drag the country down to ruin. The end and aim of each man would be to get as much as he could for his own county. Now as regards the miners' rights, it has been said, that the miners have been overtaxed; but I say that there is no class in the country which has been so leniently dealt with as the miners. How many hundreds of thousands of pounds have been spent in providing them with water-races? And what have we got for doing so much for them? Very little indeed, if anything at all. The money they pay cannot be called taxes. It is simply a rent that they pay for being allowed to take the gold out of the ground. Does the honorable gentleman tell me it would be right for these men to have the power, as they travel round the country, to vote in the different counties on the question as to whether money should or should not be borrowed? They are men who have no interest whatever in the country, and yet they are to have a voice in deciding whether it is desirable to borrow money or not, and fixing the amount to be borrowed. I think that is perfectly absurd. I will not detain the Council any longer. I do not think it is necessary for me to refer to the details of the Bill, which I have read with some attention, and what few remarks I have to make I shall reserve until the House is in Committee.

* The Hon. Mr. ACLAND.—Sir, an honorable gentleman has said that he thought it would be desirable that the ridings should be coterminous with the road districts. I wish to draw the attention of the Council to the fact that anything of this kind should be done very carefully. In the Province of Canterbury, the road districts were of very different sizes. There had been a power given to the districts to divide, and some were very small; in fact, the road district of Waimate was coterminous with the proposed county. I think that the ridings should not be of necessity coterminous with the old road districts; and I hope, therefore, honorable gentlemen will see the necessity of giving the matter careful consideration before anything is done.

* The Hon. Dr. POLLEN.—Sir, I shall have occasion for saying but very few words in reply to what has fallen from honorable gentlemen this evening in reference to this Bill. The principal objections to the Bill have been very ably answered by my honorable friend on my left, Mr. Menzies. I agree that it is very desirable that the ridings of the counties should be coterminous

with the road districts, and that this should be done by administrative action. I have no doubt that the Road Boards themselves, where it is possible to make their boundaries exactly the same with the ridings of the counties, will, under the power which they will have of altering their own boundaries, adapt themselves to that condition, and so alter their own boundaries as to make them coterminous with the ridings of the county. I am not able to agree with those honorable gentlemen who think that the County Councils should be elected by the Road Boards; and I will explain the reason why. Honorable gentlemen who have gone through the Public Works Bill know that a check is imposed on the Road Boards by the necessity of reference to the County Councils with regard to many of their proposed works; and undoubtedly, if the County Councils were elected by the Road Boards themselves, the power of this check would be greatly limited. Holding that view, I think that a separate election is preferable. My honorable friend Mr. Bonar expressed the opinion that cemeteries should properly be placed under the control of these local bodies: I am at one with him on that point, but the state of the law renders it impossible at present. It is a very important subject, and legislation on it will have to be provided for separately in the course of the next year. I have no doubt that the cemeteries will ultimately be placed under the control of the local bodies. As far as charitable institutions are concerned, I have only to say that they will have to be provided for by the districts in which they exist. In the meantime, provision is made for the charitable institutions in each district, and, either in this Bill or in the Provincial Arrangements Bill, power is given to the Governor to take part of the subsidies payable to any of these boroughs or road districts in which hospitals exist for the maintenance of them. No doubt all these things will settle themselves in time, with a little patience and a little judicious administration. I am sorry that I have not been able to secure the approval of my honorable friend opposite for this Bill. His chief objection appears to be to the large borrowing powers that are proposed to be given to the counties. But I apprehend that it would be scarcely possible for these local bodies to find the means for constructing bridges and other large local works without being obliged to have recourse to borrowed money. The Colonial Government is divesting itself of all the revenue it has to spare, and bestowing it on the Road Boards and counties. If there be not sufficient funds arising from rates, &c., for the construction of their works, I suppose the counties have no alternative but to borrow; but it is for the ratepayers to decide whether they shall do this or not. I have heard to-night, from my honorable friend on my left (Mr. Holmes) what I have frequently heard before—namely, that it was impossible for the colony to escape from its liability for these local loans. I deny that any responsibility can attach to the colony, as a whole, for these local loans. The persons who lend the money will have an absolute knowledge of the security upon which they lend, and they will be made fully

alive to the fact that the Colonial Government will not be liable for the repayment of the money. I do not see by what process any liability can, under these circumstances, be incurred by the Colonial Government. It has been objected that the counties are too large; but, if that be so, there will be no difficulty in remedying it. The moment a County Council comes into existence, it is quite competent for it, if it finds its boundaries too large, to take steps to reduce them. The adaptability of this Bill is so great that we should try the experiment of its operation before we declare that the counties are too large or too small. I listened with much surprise to the speech of my honorable and gallant friend opposite (Captain Fraser). I thought he was an Abolitionist among Abolitionists, but I am sorry to find that his colours are very different from what I supposed them to be. He said that the change from Provincialism to this system of local government was made on the spur of the moment, and he referred to it as being of a revolutionary character. But I may tell him that the change was not made on the spur of the moment, but after very careful and long consideration. In the year 1874 a resolution was passed declaring that it was desirable that a change should be made from the provincial form of government in certain parts of the colony, and that declaration was before the whole country for a year. It was discussed and criticised by every newspaper in the colony. In the next year, legislation took place upon the subject—legislation extending beyond the originally declared purpose, but not the less expected and not the less welcomed on that account. That legislation has not yet accomplished its end; but it will do so, I hope, in a very short time. On the day after the last day of the present session, the Abolition Act will come into force. Since that Act was passed there has been a general election, and an appeal to the country upon this very question. It has been the question of questions upon every hustings in the country; and no attempt has been made of anything like a serious character, and no attempt is likely to be made, after that appeal to the constituencies, by the representatives to repeal that Act. To say that legislation of such a kind was made upon the spur of the moment, and that it deserved to be characterized in the manner in which my honorable and gallant friend characterized it, is stretching the use of language, if I may be permitted to say so, a little too far. I will not detain the Council any longer. I am glad to see that my honorable friend opposite (Mr. Waterhouse) concurs generally with the principles of the Bill.

Bill read a second time.

The Council adjourned at ten minutes past eleven o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 11th October, 1876.

First Readings—Inspector of Prisons—“Hinemoa”—Grey Gorge Bridge—Crown Agents—Kakanui Harbour Board Bill—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Auckland Public Buildings Bill, the Palmerston South Athenæum Bill.

INSPECTOR OF PRISONS.

Mr. BURNS asked the Premier, Whether the Government had sent to England for an Inspector-General of Prisons for the colony; and whether the House will be afforded an opportunity of discussing the advisability of appointing one of colonial experience to such an office? He hoped the Premier would be able to answer the first portion of the question in the negative. With regard to the second portion, he might say he hoped, if it was still the intention of the Government to appoint such an officer, they would look for him in the colony. He thought the time was come when the Government might look amongst the servants of the colony, and find good and valuable officers who were deserving of promotion. He trusted the House would take that view, if it was necessary to make the appointment at all.

Mr. BOWEN had to say, in answer to the honorable gentleman, that, in pursuance of the statement made to the House, when the vote was taken last year, instructions had been sent to the Agent-General to consult with Judge Richmond, who was then at Home, and to ask the Inspector-General of Prisons in London to select a person well acquainted with the modern system of classification and discipline in the gaols of England. The instructions were sent Home some time ago, and the Government expected to get an answer any day as to what had been done in the matter.

“HINEMOA.”

Mr. MURRAY asked the Government, If they will lay before this House a statement of the terms and cost of bringing out the steamer “Hinemoa”?

Mr. G. McLEAN said it would be impossible to lay the information before the House for some time yet. The drafts for expenses incurred at the ports at which the “Hinemoa” called were drawn on London, and until they got the complete accounts, it would be impossible to state the exact cost of bringing her out.

Mr. SWANSON asked whether the captain of the “Hinemoa” had not brought with him copies of the drafts drawn on London.

Mr. G. McLEAN replied that he had, but that to place these copies on the table by themselves would present a very incomplete account, and would not be at all satisfactory to the honorable gentleman.

GREY GORGE BRIDGE.

Mr. MURRAY asked the Government, What course they propose to take in reference to the accident to the Brunner Bridge, and the report thereon? A report and evidence in regard to this matter had been laid on the table from certain gentlemen known as the Commissioners of Audit. It was not for him to comment on that evidence, but he had formed his own opinion as to where the blame rested, and he would like to know what course the Government intended to pursue in punishing those who were responsible for the error.

Mr. RICHARDSON said the Government intended to have the bridge rebuilt as soon as possible; as a matter of fact, it was now in course of re-erection. As to the punishment of those who were responsible for the error, he could only state that the Engineer-in-Chief was the responsible person, and that there was no intention to punish any one. The inquiry that had taken place would lead to such steps as would prevent the recurrence of such an accident.

CROWN AGENTS.

Mr. MURRAY asked the Government, As the Crown Agents declined to have further dealings with Sir Julius Vogel, what provision they propose to make to secure the interests of the colony? It would be recollected by honorable members that during the present session a communication had been laid on the table from the Crown Agents, in which they stated their intention to decline to have any further connection with Sir Julius Vogel. That being the case, and as it was possible that the colony would have to dispense with the services of gentlemen whose aid had been so valuable to the colony in past times, he wished to know what provision would be made for imposing a check upon the almost uncontrolled powers which the Agent-General would have. By reference to the Public Debts Act, he found that the Agent-General had power to withdraw moneys from one bank and lodge them in another, and all that was necessary was that these cheques should be signed by a clerk in the Audit Department. This power involved great responsibility, and the handling of large sums of money; and it was absolutely necessary that some steps should be taken to protect the interests of the colony. Those were his reasons for placing the question on the Paper, and he trusted the Government would give a full and satisfactory answer.

Major ATKINSON said the Crown Agents had never refused to be associated with Sir Julius Vogel. It would appear that in their letter—he had that day laid on the table a telegram received from those gentlemen to the same effect—they refused to act with Sir Julius Vogel as ordinary Loan Agents, and not as Crown Agents. The telegram made that perfectly clear. That being the case, he presumed there would be no difficulty in the matter. If any difficulty should arise, it would be the duty of the Government to protect the interests of the colony; and he had no doubt they would be able to do so.

KAKANUI HARBOUR BOARD BILL.

Mr. HISLOP asked for leave to introduce this Bill.

Mr. SPEAKER asked whether the Bill had been recommended by the Government?

Major ATKINSON replied that it had, but at the same time he wished to call the attention of the House to the irregularity which had taken place in the manner of the introduction of all these Harbour Board Bills. The conduct of the Government had been commented upon by many honorable gentlemen, and he wished to ask the advice of Mr. Speaker as to how the House should protect itself against this irregularity being drawn into a precedent. The Government, as the House was aware, brought down these measures in obedience to the strongly-expressed wishes of honorable members; but they desired now that a distinct opinion should be expressed that the irregularity on this occasion should not be drawn into a precedent. It was upon that point he sought the advice of Mr. Speaker.

Mr. SPEAKER said there was no doubt there had been great irregularity and some misunderstanding in regard to the introduction of these Harbour Board Bills. There were two points to be considered. Some were of the nature of private Bills, and some were of the nature of trade Bills. In addition to that, many of them were accompanied with provisions relating to endowments from the public estate. With regard to the private Bills, there was a proper course to be observed, which had not been strictly followed, though he hoped it would be in future. With regard to the Harbour Board Bills which were trade Bills, they can only be introduced through Committee of the whole House, and Bills which deal with endowments taken out of the public estate must go through the process of being recommended by the Crown, and being initiated in Committee of the whole House. He trusted the course that had been pursued this session in regard to such Bills would not be regarded as a precedent. Under the circumstances, looking at the fact that sixteen other Harbour Board Bills had been introduced, he would feel justified in putting the question, That leave be given to introduce this Bill.

Leave given, and Bill read a first time.

SUPPLY.

Major ATKINSON moved, That the Speaker leave the chair, in order that the House go into Committee of Supply.

Mr. SHARP.—Sir, I beg to move the following resolutions as an amendment to the motion. They are to this effect:—"That this House concurs in the opinion of the Executive Government that it is necessary the unproductive expenditure of the colony must be kept strictly within the ordinary income, and, with that object, deems it indispensable that the Civil Service of the colony should be re-organized, and the cost thereof substantially reduced. That this House feels great difficulty in dealing with the estimates so as to effect that object, and is satisfied that the necessary reductions can be most effectively and judiciously made during the recess by the Executive Government; and

pledges itself to support the Government in giving effect to this resolution." I will not take up the time of the House very long in obtruding any remarks with reference to these resolutions; but I have to say this, that no one is more satisfied than I am that it is necessary that there should be some very great retrenchment in the public service of the colony. It is evident to all minds that the Civil Service is gradually growing and increasing, and has now attained to very large proportions; and if it is not checked and reduced, it will become an overbearing power in the colony. After the speeches that were made last night, more particularly the speeches delivered by the honorable member for Akaroa and the honorable member for Christchurch, it will not be necessary for me to take up the time of the House by calling attention to what is simply the result of the figures and facts which came out in those statements, and the financial statements made by the late and the present Premier. It must be evident to all intelligent minds that the state of the finances of the colony is such that something must be done to improve them. There is no doubt that the management of the pecuniary resources of the colony should be conducted as economically as possible—that we should adopt the course that would be followed in any well-conducted mercantile establishment—that is to say, the expenditure should be brought within the income. We all know, if this is not done in mercantile establishments and similar establishments, the result would sooner or later be bankruptcy or ruin. I am, however, of opinion, after hearing the debate of last night, that it is hopeless for this House to take upon itself the responsibility of saying in which direction retrenchment is to take place in regard to the Civil Service. It is so difficult for a member of this House, particularly so numerously constituted as it is, to take up a particular branch of the service, and say this officer or set of officers should be dispensed with or retained. The fact is, that the Executive alone, to my mind, should be responsible for making reductions in the departments, so as not to interfere with the service of the colony, because we are all perfectly agreed that the service of the colony must be kept up in an efficient state, otherwise the business will not be conducted in a satisfactory manner. I hope the Government will not consider these resolutions as being of a hostile nature. I have framed them in such a way that I think the Government may accept them, and that they will not dissent much from them. They will have the effect which this House desires, and that is to reduce the strength of the Civil Service. I believe that this House will support the Government in carrying out that object. For my own part, I conceive that it is not simply a question of reducing the salaries of officers. I have had a great deal of experience in the public service, and I say that it is not by reducing salaries that economy is best effected. My own belief is that reductions should be made more particularly in regard to numbers; and that by consolidating offices when they become vacant, a great deal may be done towards reducing the expenditure now incurred in con-

nection with the Civil Service. I believe myself that if the Government would undertake this matter during the recess—undertake it in a proper spirit, in the spirit in which I bring forward these resolutions—a very great reduction could be made in the expenditure of the colony. Sir, I offer these resolutions to the House, and I hope that the House will consider them carefully, and will be induced to accept them.

Major ATKINSON.—The Government certainly will not be prepared to accept these resolutions in any spirit of hostility. They were entirely in accord with the views which the Government have already expressed, so that it is only reasonable that we should assent to them; because they will very considerably strengthen our hands in the work which we are prepared to undertake. The Government are aware of this fact, that the income and expenditure of the colony must be made to meet. They have pointed out, however, that this is not the work of a moment, that it is not the work of a month or two; it must be done cautiously; but they say distinctly that it must be done. We shall be prepared during the recess to take into consideration not only the question of the reorganization of the Civil Service, so far as it may be necessary with the view of reducing expenditure, but we shall consider our expenditure upon every other branch of the service which we now perform with the view of reduction; and if this House is really in earnest in desiring reduction, and if the country really means to have reduction, I take it there should be no great difficulty in doing it. The fear is, that when we really come to apply the pruning knife, honorable members will not be prepared to apply it. I have heard a great deal of talk this session about reductions; but has any honorable member asked for any gift for any person, and it has been refused? Have we not, on several occasions during this session, actually set the law at defiance to make gifts to widows of deceased persons? Have we not done that without any authority of law at all, and against, as I pointed out at the time, the rule which the House and the Government have laid down for their direction. Of course, the House has a perfect right to deal with each case upon its own merits; but I would remark that if the House is going to interfere in all these matters, it is impossible for the Government of the colony to say what the expenditure will be. I only point out these circumstances as indicating what is the tendency of the House; because I am afraid the same rule will be applied by honorable members when we come to review the Civil Service with a view to economy. It is perfectly certain that if this House and the country are going to insist that the Government should perform all the many functions which they do now perform, it is quite certain that the expenditure cannot be reduced to any great amount. I want honorable members to take that seriously into their consideration during the recess, because it is quite certain that many of the advantages which the public now enjoy will have to be curtailed if our expenditure is to be reduced as honorable gentlemen expect. I should like to say a word in regard to the Civil Service. There

is no doubt it is a very large service, but there is also no doubt that it has performed an immense amount of work which this country has thrust upon it. If that work is to be maintained, there will be very little hope of reducing the service very much. There is also no doubt at all that the expenditure on our Civil Service is not in proportion to the work that it does, as compared with the other colonies and with the Home Government. There is no doubt about that. Our revenue departments collect money at a cheaper rate than is done in any other country in the world, and they are only a sample of the rest of the Civil Service. I may say that we have a large number of very efficient officers, and many of our Under Secretaries take not only a great pride in conducting the work of their offices efficiently, but also in conducting it economically; and therefore the Government will, I am certain, receive every assistance in the endeavour which they are going to make to reduce, if possible, the expenses of the different branches of the service. I must impress on honorable members of the House this fact, that if we really mean economy, we must be prepared to submit to more self-denial, and the country must be prepared to submit to more self-denial. I shall accept the resolutions on behalf of the Government with very great satisfaction, as an expression of the opinion of this House that they approve of and will support the Government in the course which they propose to adopt.

Sir G. GREY.—The resolutions now proposed to the House have taken me by surprise. I fear, Sir, that under these resolutions a political design lies hid. I gave notice yesterday that it was my intention to move a resolution of this kind. It would be one of a character which possessed some fibre and nerve in it, and really meant something; to which the Hon. the Premier answered, that if such a resolution was proposed, he would take it as a vote of want of confidence, and that, in fact, the Government would not submit to it. Well, to-day, to my very great surprise, an honorable gentleman, before I could possibly get up to move the resolution of which I had given notice, got up and moved these resolutions, which the Government accept in a friendly spirit, and which undoubtedly mean nothing at all. I now move, Sir, as an amendment to these resolutions,—“That, in the opinion of this House, the financial position of the colony imperatively requires the utmost economy in the administration of the public business, departmental and otherwise; and that to effect this, large reductions should be made in the estimates without delay.” I am justified, Sir, in moving this amendment by what we have had said to us to-day. The honorable gentleman, upon whose resolutions I move the amendment, stated in the most distinct terms, at the end of his speech, that large reductions can at once be made in the estimates. These were his words, as I wrote them down. I say he spoke what is perfectly correct, perfectly just, perfectly reasonable, when he said that, and I am in favour of these reductions being made forthwith. The Premier admitted the same thing, but he qualified his statement by saying that it could

not be done in a month or two. Sir, if it cannot be done in a month or two, why did he not bring his estimates down prepared in a way in which they ought to be prepared? He knew perfectly well the financial difficulties of the country, and he also knew perfectly well that, if he pleased, he could have equalized the revenue and expenditure, but he did not choose to do it. Hence the present difficulty has arisen. I say that the estimates can at once be reduced by the amount of nearly £100,000 in addition to the reductions which the Government say they have already made, but which are reductions more apparent than real. I think the House should at once make these reductions. The Prime Minister also said that if the House was in earnest in insisting upon reductions being made, it could easily be done. If it can easily be done, why is it not done? That the House is in earnest was shown last night distinctly; and that the Government are not in earnest was shown with equal distinctness. They resisted every attempt made at reduction. The Prime Minister stated what is a fact when he said that if the House is in earnest these reductions could easily be made. These were his words. The House is in earnest. Let them be made at once, and they can easily be made within the next week or ten days. Then the Premier went on to give a proof that the House was not in earnest, by saying it cast certain expenditure on the colony in the shape of pensions to widows, and other expenses of that kind, which the Government had not proposed to make. The Government did intend that those votes should be carried out. If not, they had a majority to prevent it; and they knew it was their duty, as leaders of the House, to take a firm stand, and prevent any expenditure of which they did not approve. That was their duty, and they neglected it. I believe they were willing enough that this should be done, but did not wish to have the odium before the country of being apparently the persons to recommend it. I say that any Ministry, if they had been in earnest in deciding that expenditure should not be forced upon the country, would have refused to allow it, and would have made their offices depend upon their will being carried out. There could be no more fitting occasion for the Government to take up a resolute stand than that of preventing expenditure which they believed the revenues of the country were not capable of bearing. They say these increases indicate the feeling of the House, and they were certain honorable members would not permit them to make reductions in the expenditure. If they believed that, Sir, would they venture to make reductions during the recess? Every one knows they would not. They know perfectly well that a majority of this House will support them in reasonable reductions in the expenditure of the country; but they are unwilling to enter upon it at the present time. They know that making such reductions would cause unpopularity; and you may depend upon it they will avoid entering upon a course of that kind as long as this House will permit them. That, therefore, is another reason why the amendment I propose should be carried, that reductions

should be made day by day as we go on, if the Government will not bring down new estimates containing some systematic reduction suited to the public service of the country. The Prime Minister added that the expenditure could not be much reduced, having first of all said that it was possible largely to reduce it; but he qualified his second statement by saying that if the expenditure was much reduced, conveniences must be curtailed. Sir, with ruin staring us in the face, are we not to curtail conveniences? Did ever a statesman talk in such a way before? When men's property is at stake, and public credit is at stake, should we hesitate because conveniences must be curtailed? If conveniences are to be curtailed, let them set an example. Let them reduce the salary of the highest person in the State. Let them reduce their own salaries, their own ministerial residences and gardeners. Let them do away with their Agent-General and his office in London, and at once save £18,000 a year. Let them curtail their conveniences, as they are pleased to term them, and they will find the members of this House are ready to do so likewise. Let them show a good example to the country, and this House will do it too. Let these reductions be carried out at once. Then the Premier spoke in high terms of the civil servants, and I believe with all justice in what he says. I believe the Under Secretaries take great pride in having their work done efficiently and economically, but the Under Secretaries of State are very bad persons to remodel the Civil Service. Each man necessarily attaches undue importance to his own department. It requires some person lifted above that level to look down upon it and see how reductions can be judiciously carried out throughout the Civil Service, so that the public service may not suffer while reductions are being carried out. I differ altogether with what the Premier says as to the cost of our Civil Service. I say no more enormous Civil Service exists in any country in the world than in New Zealand, and I say that no worse regulations for its guidance exist than those in this country; that no allowances of such great magnitude are made to Civil servants in any other country as are made here. If I am not mistaken, the Commissioners of Audit are allowed to travel about the country for half a year, or at all events for several months, and during that time they receive a travelling allowance of two guineas a day. Such an amount was never allowed in any country. A prince would not have an allowance of that kind made to him if travelling for months together. The whole Civil Service is, without exception, arranged upon a scale of extravagant expenditure that ought not to be allowed. We should have returns laid before us containing the fullest information upon all these subjects. I say at once, that many thousands of pounds a year could be saved without in the least interfering with the administration of affairs. It is quite unnecessary for the Commissioners of Audit to travel about in that way. The Commissioners of Audit in England do not travel about. The books, or accounts abstracts of these books, are sent to them, and they inspect them. I do not

believe such an absurdity was ever heard of before, and I believe the Government themselves know perfectly well that such a system ought not to be allowed to exist. But I do not believe there is the least intention of making these reductions. It was but yesterday I proposed that a Select Committee should be appointed to investigate the accounts of the last two missions to England, and I was not allowed to have that Committee. What was there to hide? What was there to conceal? There was something. It was quite clear that the public were not to be allowed to have these accounts printed and laid before them. I say that until the accounts are laid before the public in a complete form, as they ought to be, and in the form in which they are laid before the public at Home, it will be impossible to reduce the expenditure of this country. I say that nothing but a public inquiry before the country, such as takes place in Committee of Supply, will lead to a reduction of the expenditure. This plan of leaving it to the Government to carry out reductions during the recess is wrong. If they intended to carry them out, why did they not do it during the last recess? They had plenty of time. Why not have done it at an earlier period of this session? Why did they not then get a Select Committee appointed to inquire into what reductions should be made, and make recommendations to the House? No. They wish to take the matter out of the hands of Parliament and into their own offices. If they are allowed to do so, they will do it most imperfectly, if they do it at all. I therefore hope the House will agree to the resolution, which I shall propose as an amendment to that of the honorable member for Nelson City, Mr. Sharp.

Mr. SPEAKER.—The honorable member cannot move his amendment at present. There is already an amendment before the House, which must first be disposed of. The original question was, That I do leave the chair, in order that the House may go into Committee of Supply. Upon that, the honorable member for Nelson City has moved his resolutions as an amendment. If the House decides that those resolutions take the place of the original question, then they become a substantive motion, and amendments can be moved to them. If, however, the House rejects the amendment to the question that I leave the chair, the honorable member for the Thames will not be able to move his amendment to-day, because the House will have ordered that it will "now" go into Committee of Supply.

Mr. REYNOLDS.—Sir, I intend to support the motion of the honorable member for Nelson City; and I do so because I see very little chance of effecting any reductions in Committee of Supply. I do not believe honorable members are really in earnest in seeking reductions or retrenchment; otherwise the divisions would not have been carried as they were last night. As has been remarked by the Premier, a number of resolutions have been brought down this session by honorable members—and even by the honorable member for Nelson City himself—for grants to the families of deceased officers, of sums not authorized by law. Although the Go-

vernment did their very utmost to call the attention of honorable members to what they were doing, yet, in spite of remonstrances, the Committee carried the votes against them. Without referring further to this point, I would suggest to the Government certain items in certain departments in which reductions could easily be made. It is to be hoped that, if the Government do take action, in accordance with this resolution, their action will not be complained of afterwards. Speaking of the Customs Department, I do not hesitate to say that the officers of that department are most efficient, and that the department itself has been exceedingly well managed; but great expense has been forced upon the Government by the opening of warehousing ports and ports of entry in places where they were not at all required; in some cases, the collections do not amount to the cost of maintaining these offices. This, in particular, is a direction in which the pruning knife might be applied; and I give the Government fair notice that, if they do not do so, I will come down with applications for ports of entry in two or three places in Otago; Blueskin, for instance, is quite as important a place as many others that have been created ports of entry. Then there is the Telegraph Office. Great saving might be effected here by cutting off all those stations which are found to give little or no return. I have not a list of the stations before me, but I know, from my recollection of past years, that some of them do not return more than £10 or £12 per annum, and it is too much to expect that the Government should maintain offices from which the revenue is so small. The only difference that will result from reducing the number of this class of offices will be that people will have to travel a little farther to despatch their messages—there will be one telegraph station in the district instead of two. Then when we come to the Postal Department, I find that it is possible there also to effect considerable savings. I would not limit the facilities for the despatch and receipt of letters any more than was absolutely necessary, but I am aware that in some instances the colony has to pay far too high for those facilities. Why, Sir, I know that in some instances the colony has to pay as high as 5s. a letter for carriage, in return for which it receives 2d. The postal subsidies might be considerably cut down, and, as a first instance where the principle of retrenchment might be advantageously applied, I may refer to the half-cost of coach services under the heading "Conveyance of Inland Mails," on page 46 of the estimates. There we find that close upon £2,500 is paid toward maintaining coach lines between Wellington and New Plymouth, Napier and Taupo, Taupo and Tauranga, and Foxton and Waipukurau. That is only half-cost; the other half appears on another part of the estimates. This item, I think, might fairly be reduced. Then there are a number of steamboat subsidies which might be done away with, such as the subsidy for a steam service to the west coast of the Middle Island. Hitherto that subsidy has been paid by the Province of Otago, and I presume has been taken

over in consequence of the abolition of the province; but there is at once a sum of £4,000 that might be saved; and there is also the subsidy for a steam service to the east coast of the North Island, £2,200; the steam service between Wellington and Kaikoura, £400; and the subsidy for Blind Bay, £180, which might also be dispensed with. I might quote others, but they at least should certainly be struck off the estimates, or considerably reduced. We come next to the department of the Minister of Justice, and I think it will readily be admitted that the public of New Zealand expect too many facilities in the way of establishing Resident Magistrates' Courts, particularly in Native districts. There are far too many Resident Magistrates in these districts; and as part of their salaries is made up from the Native Department, I think it would be a good thing that the Minister of Justice and the Native Minister should consult together with the object of effecting reductions in this direction. As to the Volunteers, I think they can be dispensed with entirely; and I certainly will not be a party to voting a single penny for the Volunteers, especially in the Middle Island. They are not wanted there, and the money should be saved to the country. My idea on the subject is, that the children in the Government schools should be taught drill and the use of arms; they would be available hereafter if their services were required at any time, and might be called out as Militia. Then there are items for prizes for rifle-shooting, passages of Volunteers, ammunition, &c. Here is a sum of £5,000 which might easily be saved. I see, also, in the estimates, a sum of £450 as a preliminary item of expense on account of the new library.

Major ATKINSON.—That is struck out.

Mr. REYNOLDS.—Yes, on reference to the amended estimates I see it is struck out; but I saw a motion on the Notice Paper of another Chamber, suggesting that competitive designs for a new library should be invited. Now I think we should put our foot down firmly, and refuse any such vote. If we invite designs, it will be said, "Oh, we have the designs, we might as well go on with the building!" I think the present library is quite sufficient for all purposes. There are many other directions in which the Government might curtail expenses; but the chances are that, if they attempt to do so, the members representing the district affected would get up and say, "Oh, why did you cut off a telegraph office in my district?" and so on. If the House is in earnest in its desire to effect retrenchment, honorable members should give the Government every assistance in their power.

Mr. STAFFORD.—There is one portion of the resolution of the honorable member for Nelson City which appears to me to be inadvisable, and that is, where it appears to me, by the terms used, the House would express an intention not to interfere with the estimates this session. Now, if I correctly interpret the feeling of the House, it is not altogether prepared to go so far as that. While I recognize that the Government are the persons most likely to make the reduction complete and effective, and that they should have

time to consider the matter fairly during the recess, yet I think the Government has a right to expect the House to indicate, during the progress of the estimates through Committee, those directions in which reductions should be made, even if they are not effected by a vote at the moment. I should, therefore, like to see the resolution modified in that direction. The motion of the honorable member for the Thames, which is not yet before the House, is very similar in principle to that of the honorable member for Nelson City, except that it indicates that the House is prepared at the present moment to make reductions; and I am inclined to think that that is the most proper position in which the House can be put on this question. I think the House has not any right to say, "This is none of our business. We have nothing to do with cutting down estimates. We are elected to do other things, and we leave it to the Government to say what shall be a proper amount of expenditure." The honorable member for the Thames said the House was most anxious to cut down the estimates. I wish I could share that view, but I do not share it. I have had a great deal of experience of the action of the House on different occasions, and I know what members have done during the present session. I do not pretend that my knowledge of the feelings of members is so complete as that of the honorable member for the Thames, but I have seen no indication as yet of their desiring certainly to effect retrenchment. It seems to me that the tendency has rather been to add to the estimates than to reduce them. I speak of the House as a whole and not of individual members; and therefore I am sorry to say that I do not share the opinion of the honorable member for the Thames. I wish I could, because until the House and the country really is sincere, as the Premier said, we cannot have any large reductions made; and I know that this country is most luxurious. It has got into a habit of requiring that every sort of Government provision should be afforded to it, to an extent that does not obtain even now in the mother country. If four or five people get together in the head of a valley, they immediately petition for a post office. I know of men in the mother country, who own half a county, who have to send seven or eight miles to a post office for their letters. They do not expect to have their letters brought to their gates, though their tenants are larger in number and quite as worthy of consideration as a great many of the small communities in this colony which require to have a post office and a telegraph station, the latter a perfectly new luxury unknown to our fathers. I recollect that, when I was attempting to make reductions at one time, I was met with petition after petition and request after request from the honorable member for the district concerned asking me not to make them. Even in Auckland, when I dismissed a Resident Magistrate who had not had either a single criminal or a civil case in his Court for six months, I was met by a petition from the district, which pointed out that the very fact that there had been no cases proved how efficacious he was in preserving good-feeling in the district. Of eleven Magistrates I dismissed,

in the course of fourteen months, three were put back by the House in following sessions upon direct motions; and so it was with other departments. It is all very well to say the country in concrete calls out for reduction; but whenever it is made to apply in any direction, there is an immediate protest from the people in the district, supported by those who represent that district in the House. Therefore I am utterly unable to agree with the honorable member for the Thames as to the great desire in the House and the country for retrenchment. Let us see what reductions will be proposed and carried by the House. I do not mean to say that there are not certain members in the House who are most sincerely anxious to make reductions and will be found voting for and supporting them, but I am speaking of the House as a whole. With regard to the amendment before the House, I should really like that part struck out which appears to indicate that the House will take no trouble in reducing the estimates. I do not think it is a proper position for the House to take up, and I think it would really reflect upon the House to say that it would not take its proper share in proposing reductions.

Mr. BOWEN.—I do not at all understand the resolution of the honorable member for Nelson to mean that the House should decline to enter upon the question of reduction. The words of the resolution are, "That this House feels great difficulty in dealing with the estimates so as to effect that object, and is satisfied that the necessary reductions can be most effectually and judiciously made during the recess by the Executive Government." All I can say is, that the Government, in stating that they agreed with the honorable member and accepted his resolution, did not mean that they would not be very glad to have the assistance of honorable members and their advice as to the reductions they thought should be made. There were some slight reductions made last night, and I have no doubt that, in going through the estimates, honorable gentlemen will point out matters which they think ought to be discussed, relating to the different branches of the service. The Government said they were prepared to meet the views of the honorable member for Nelson; but they certainly did not understand his resolution to mean that, because the greater part of the reductions could be best made after consideration and ascertaining what could be done in the way of amalgamation between the Provincial and General Government services, the House should at all give up its control over the estimates for the present session. I may say the Government look forward to make reductions for the most part in amalgamating services which have been conducted hitherto by the provinces with those of the General Government.

Mr. REES.—I have been assured just now by the honorable member for Nelson, who proposed the amendment, that there is no understanding betwixt him and the Government in relation to his proposition; but it so marvellously fits in with what fell from the Premier yesterday, that if there be no agreement or understanding

between the honorable member for Nelson and the Government, it exactly meets the idea of the Government. If the Government are so anxious to promote economy, so anxious to decrease departmental expenditure, how is it that they have not done it hitherto? They have had long enough to do it, and they must have seen for a very long time that the finances of the country would not bear the enormous strain there is upon them. But, having left their important measures to the end of the session, they now, at the end of the fourth month of the session, say they will be prepared during the recess, when the House has risen, to consider the question of retrenchment. Why, during the time the House has been sitting they have had time to consider this matter. During the previous year, or during the two years previous, they did not choose to consider the position of the country. How is it that they have not been considering the question of retrenchment? And now, because honorable members seem inclined in Committee of Supply to take exception to certain votes, and attempt to make both ends meet by reducing the expenditure to an amount equal to the income, the Ministry turn round and say, "We will do the best we can during the recess." A great deal has been said in this House as to the necessity for continuing great public works, and of thus introducing a large amount of borrowed capital into the country, and the expenditure of that money among the people of New Zealand. We have it stated that it was a very wise stroke of policy to do that in 1869 and 1870, and that things were then at a very low ebb in this country. But in 1869 and 1870 the country was in no such position as we are in now. There was not the same difficulty in making both ends meet, and in keeping the Civil Service down, and in keeping the expense of the country within the revenue, small as the revenue then was. Why, during the last five or six years, nearly £600,000 a year has been added to the ordinary expenditure of the country. We hear a very great deal from members of the Government, as to the increased income of the country, but they never think of telling us at all as to the enormous increase of the ordinary expenditure. The numbers added to the Civil Service, the increase in salaries, the increase of departments as I might say, or at all events the addition of fresh branches to departments, are far more than equivalent to the increase in the revenue. The increase in the revenue has been attended by increased power of expenditure of the people; but the increased expenditure is an expenditure that must go on, because it is an expenditure which, to a certain extent, is demanded by the increasing wants of the people, and will be increasingly demanded. With the extension of settlement we shall require an extension of Government departments. What we want to see is that, while we meet the public requirements and the public wants, the Government shall attempt to only keep a sufficient number of *employés* of the colony to do the public work. The great desideratum, in fact, is to keep the moneys expended upon the public service within the bounds of the public

revenues. Already the Government have had proposed to them two or three ways by which that could be done: but I think that the milk-and-water resolutions brought down by the honorable member for Nelson mean nothing. They mean nothing, and they contain no principle, or the shadow of a principle. On the other hand, they seem rather to incline to that which the honorable member for Timaru has characterized as taking the power out of the hands of the House, and intimating that honorable members should not interfere with the estimates as they passed through Committee. The honorable member for Nelson City says "No." The honorable gentleman should couch his resolutions in such language that they could not be misunderstood. I undertake to say that more than three-fourths of this House believed that was the intention of those resolutions. When I heard them read I thought the intention was to stop discussion in Committee upon particular votes, in order that the Government during the recess might do the whole of this work. If that be not their meaning, they have no meaning at all, because the Government have already stated that during the recess they would take these very steps. If therefore the honorable member for Nelson did not desire to go beyond that, and stop discussion in Committee on particular items, moving his resolutions is simply a waste of time, the blame for which will of course be cast upon the Opposition. The Opposition will be asked why they have obstructed the progress of public business. If the resolutions had not been brought down then, the estimates could have been sent back to the Government, the House could have proceeded to other business, and after the end of next week the Government could bring them down reduced as far as possible, even if some little violence, if necessary, had been used to bring the estimates within the bounds of the public purse and the public revenue. There might have been some sense in that, but there is no sense in the honorable member's resolutions. He might just as well have proposed as a solution of the difficulty a resolution that twice two makes four. I agree with that part of the resolution which says that economy should be practised; but I do not agree with the resolution in so far as it means that the Committee is not to discuss these items. There I am entirely at one with the honorable member for Timaru and other honorable members; and I do hope that no such idea will be promulgated either in this House or in Committee. My idea as to what an amendment should be would be one to the effect that the Government should be compelled to make their expenditure meet their income. As I said last night, I now repeat, that if the Government cannot decrease their expenditure, they must increase their income. They must impose taxation that will enable them to supply out of the current receipts the current expenditure. If we are to have £150,000 of Treasury bills issued on one side, and £150,000 of Treasury bills issued on another side, and this is to go on year after year, it will, as has been said before in this House, end

in financial disaster. We cannot escape. It is just like a man in a race, going on hour after hour, increasing the stimulants he took until the time comes that they will not act, the body will not receive any more stimulants, and then he breaks down. We have thrown £40,000 or £50,000 upon this year which ought to have been paid last year. Last year we issued £250,000 of Treasury bills, we shall do the same this year and next year, but probably next year this will come to an end. Next year we shall find that we cannot go on any longer borrowing money, and then there will be taxation imposed on that which alone can pay taxation—property. Then we shall have a great outcry all over the country that property is being ruined—that it is being overwhelmed with taxation. I warn honorable members that this will take place. We ought to be prepared now to meet the difficulty. It will be worse to-morrow, it will be worse next year, it will be worse still the year after. It is the duty of this House, as representing the whole of the people, not to be put off with such resolutions as these, but to try what can be done in relation to the Sinking Fund, in relation to the increasing expenditure, and in relation to levying an income and property tax, so as to meet whatever deficiency there may be between the income of the country and the expenditure of the country. By so doing we shall create confidence in the administration. If we required to borrow any more money for our public works we should be more likely to obtain it, as the Home country would have more confidence in us. I saw a statement in the *London Times* to the effect that the New Zealand Budget was very satisfactory, and that there was a surplus revenue of £72,000. That was a sham. It was false; it was not the fact. It was not stated that there were £172,000 of Treasury bills outstanding; and the enormous amount of interest which we have to pay was not stated. This is going upon false pretences; and if we continue to go upon false pretences in money matters we shall come to grief in the long run. No man of sense would adopt such a course in regard to his own private affairs, and yet, in colonial matters, this is the course pursued by the Government. It is time to remedy the evil. I believe if the Ministry brought down a measure to impose an income and property tax, they would meet with the support of this House and the country. I believe they would have a large majority in favour of it, and that nine-tenths of the people, even the propertied classes themselves, would support them in such a proposal, because the people feel that the system now carried on is a sham and a snare. The Government should do that instead of accepting such resolutions as these. I am astonished at the honorable member for Nelson City bringing forward such resolutions, as they only put off the evil day. The Government could easily, under the three heads I have indicated, meet the deficiencies, and place the country in a prosperous position.

Mr. ROLLESTON.—I do not think it would be right of us to go back to our constituents and say that we could not deal with this question and

had relegated it to the Government of the day. In the first place, we do not know who the Government will be that will have the administration of affairs during the recess. If a system of parliamentary government obtained in this country, there are two courses which could be taken. The one course would be to direct the Government to take back the estimates and to indicate where decreases could be made, and how the expenditure could be kept within the income. The next course is to do that which I hope this House will do—namely, insist on making very large reductions in the expenditure. I do not think the resolution of my honorable friend is one which Ministers should accept. To tell the Government that this retrenchment can be made most effectually and judiciously in the recess, and to leave it entirely to the Government to make such retrenchment, is not, I submit, in accordance with the ordinary form of parliamentary government. Either we are satisfied or we are not satisfied. For my own part, I do confess that I am not satisfied with the existing state of things; I am not satisfied with the uncertain position of the Government, or with the position which we are now asked to accept, of relegating our duties as the representatives of the people to the Ministry in the recess. With regard to the first point, that of asking the Government to take back their estimates, I am quite satisfied that such a course will not be accepted by the House. The House is not prepared to put another Government into office. No doubt the Government have a very considerable majority, and any such attempt would be futile on our part. The only course we can adopt is to take this matter into our own hands, and deal with the question of reducing the expenditure—to form ourselves into a kind of Committee of Safety at the present time. The reason why we cannot take the usual parliamentary course is due not so much to the gentlemen on those benches as to others with whom they have been connected. The fact is that our whole parliamentary system has been disorganized by the state of things which has obtained during the last seven years. The Civil Service has also, to a large extent, been disorganized. We have allowed this demoralization of the service to take place by making politics a means of access to the service. This is a thing which I think has been striking at the root and sapping the usefulness of our Civil Service for some years past. It seems to me that the first step to be taken by the Government is this: Let us know who are going to be our Administrators in the future. That is a point which I think the House has a right to be informed on. The Government has for some time past been like the Old Man of the Sea, of whom we have read in our boyhood—the old man who could change himself into any form when you attempted to catch him or get hold of him—who could change himself into a bird, fish, or beast, or any form that occurred to him. You could get from him no forecast of the future, of anything that was going to happen, until you dealt with him with the utmost violence. I do not see, however, that there is anything to be done at the present time with

the Government by violence. If we have the present Government deprived of what has been its head, I believe that it, on the whole, would meet the wishes of the House; but for us to pass a resolution relegating, to a body which we do not know will exist, the duty of determining during the recess what the expenditure shall be, is a course which, I submit, will not meet with the approval of our constituents.

Mr. MONTGOMERY.—I merely wish to state that I cannot approve of the resolutions proposed by the honorable member for Nelson City. The honorable mover of the resolutions said that it was useless for the Committee to attempt to reduce expenditure, or show the direction in which reduction could be made. What would be the use of a Committee of this House if it could not express an opinion as to the direction in which reductions should be made? The resolutions were such as every earnest supporter of the Government would be inclined to support. I do not see why the Committee should concur in the opinion of the Government. One resolution states that this House feels great difficulty in dealing with the estimates so as to effect reduction, and that it is satisfied that the necessary reduction could be most effectually and judiciously made during the recess by the General Government. We are asked to pledge ourselves to support the Government in giving effect to this. I agree with the very pertinent observations made by the honorable member for Avon as to that Government. What will be the Government during the recess? I would like to be informed on that point, because there is an impression abroad and in the House, caused by a statement of the honorable member at the head of the Government, that the Government will undergo a change—that there will be new members taken in, and that old members will go out, shortly after this House is prorogued. It is an important thing to consider, when that Government can ask us to surrender into their hands absolutely the duties which we should ourselves endeavour, at all events, to perform. As to making large reductions in Committee, I think that is quite out of the question. I believe the Government itself is the only body that can show where reductions can be made without impairing the efficiency of the public service. I think it is the duty of the Government to do that. It is the duty of the Government to consider the income, and so to reduce the expenditure as to bring it within the income. If this House attempted to incur further liability, it is the duty of the Government to steadily resist that attempt to this extent: to say, "We cannot permit it; it would be a dereliction of duty if we allowed it. We will give up the seats we occupy, and let other men take our place, rather than that we should incur liabilities which the ordinary revenue of the country cannot meet." That, I consider, is the position which the Government should take up. When the honorable gentleman at the head of the Government stated that this House during this session had set aside the law in voting moneys to individuals, and that he allowed it, I would ask him, without, I hope, any

feeling of undue hostility to him, if he found he was doing his duty then.

Major ATKINSON.—Yes; I have no doubt I was.

Mr. MONTGOMERY.—Well, it does not seem to me that he took that firm stand which the custodian of the finance of the country should have taken. If he found that the voting of these sums of money would interfere with the equilibrium which should be between the expenditure and the income, it was his duty, I think, to say firmly that the Government would not allow it. The Government should take a firm stand on such occasions. I intend to move, as an amendment, that the last resolution should be struck out. I consider that it is quite unnecessary that we should pledge ourselves to support the Government. The House is not called upon to pledge itself to support the Government. It is not necessary that we should affirm by resolution that we are of opinion that the expenditure of the country should be kept within its ordinary income, and that we should relegate the duty of making reductions to the Government. I would like to see that resolution omitted. We can indicate our views without any expression of opinion respecting the Government of the day at all. I do not think it is necessary. I do believe the honorable member at the head of the Government is anxious to restore equilibrium in our finance; but I also think that he must have foreseen during the year that the income has not come up to his expectation, and that he should have made some preparation to reduce the expenditure. He should have done that before the House met. However, I am not going to argue that point now, and will merely say I think the House should express a simple statement of opinion that it is necessary the expenditure should be brought within the income. The amendment I shall move is to alter the resolutions of the honorable member for Nelson City so that they may read as follow:—"That this House is of opinion that it is necessary that the public expenditure of the colony must be kept strictly within the ordinary income, and with that object it is indispensable that the Civil Service of the colony should be reorganized and substantially reduced." I believe the honorable member for Nelson City is willing to accept that amendment.

Mr. SHARP.—I am willing to do so.

Mr. ROLLESTON.—Could the resolutions of the honorable member for Nelson City be put separately?

Mr. SPEAKER.—If the amendment to the question, "That I do leave the chair in order that the House may go into Committee of Supply," is carried, then I think I can put these resolutions separately, for I can easily perceive that some honorable members might like to vote for some portion of them who would not vote for the whole.

Mr. HUNTER.—Sir, I took no part in the debate last night; but one portion of the arguments used struck me so much that I should like to refer to it now. I mean the statements made that there had been a considerable reduction in

the Customs revenue, which is, of course, the largest source of our revenue. The Hon. the Commissioner of Customs laid before us the night before last a comparative statement of the receipts for the quarter ending on the 30th September, 1876, and the corresponding quarter of the year 1875. I find that the receipts for the quarter ending the 30th September, 1875, were £312,471, and for last quarter £307,844 in round numbers. Last night it was stated that there had been a falling off in the Customs revenue for last quarter of £12,000, as compared with the same quarter of last year; whereas these figures show that the difference is only about £5,000. On looking into the matter further, I find that the returns for the last quarter were equal to the average of the two previous years. It is just as well that these things should be borne in mind. There has also been a constant increase in the Customs revenue for the last four years. In 1872, the increase was £81,000; in 1873, £152,500; in 1874, £223,000; and last year, 1875, when, no doubt, business was not as brisk as it had been in previous years, there was still an increase of £46,000. These are facts which should be borne in mind, and, when so much is said in disparagement of the credit and resources of the colony, they should be brought prominently forward. The honorable member for Auckland City East is not in his place, but he made reference to a recent article in the *Times*. I take leave to say that that journal is as well informed upon all such matters as the honorable member for Auckland City East, and I would go even further, and say, as well as any honorable member in this House. It is the leading journal of the world, and is always very cautious in the statements it puts forward. I venture to say that the statements made in that paper were founded on the Financial Statement sent Home from this colony, and that they can be borne out in every particular. I have stated over and over again, and I take leave to repeat it again, that the accounts published by the Government of this colony are clear and intelligible. There is nothing kept back in them. There is nothing charged to one year that should have been charged to another, but everything has been stated in a clear and candid way. The Financial Statement of the Treasurer, and the published accounts, have no doubt been before the writer of the money article in the *Times*, and upon them his statements are founded. He is a man as well able as any honorable member of this House to draw proper conclusions from them. Something has been said on several occasions about the advisability of imposing a property and income tax; that is a question upon which very widely different opinions are entertained. We all recognize that, if there is one result more desirable than another to obtain, it is to encourage the introduction of capital into the country, but nothing could have a more deterrent effect than this constant cry of "property, property, property," and the necessity for taxing it. I do not think due weight is given to the effect of making such statements. In the Colonial Treasurer's statement last year, prominence was given to that subject, and it was fully

discussed in all its bearings. The honorable gentleman then said that, if it was shown to be necessary that this tax should be imposed, it would have to be done. I would point out now that under the new form of government about to be introduced it can be done to a very large extent indirectly. Great power is given to the County Councils to impose taxation, and we may feel assured that "property, property," will not escape when left in the hands of the ratepayers. The people in those Councils will have very large powers to borrow money and levy rates.

Mr. SWANSON.—And receive substantial endowments.

Mr. HUNTER.—The honorable member for Newton says "receive substantial endowments." They will no doubt receive substantial endowments in one respect. If they raise the money themselves, they will receive substantial endowments in proportion, and can spend it on the works they have to carry out. You cannot expect these works and improvements to be carried out unless the people pay for them. Take the experience of the mother country. There the local taxation almost amounts to the Imperial expenditure.

Mr. MURRAY.—About half.

Mr. HUNTER.—The honorable member for Caversham says half; but I think I could show by figures that the one almost equals the other. However, the power of raising money in this way is given to these County Councils, and I have no doubt it will be exercised as far as it legitimately can be. I have no desire that property should be unduly protected. It has its responsibilities. All I ask is, that there should be a fair application of taxation. The honorable member for Christchurch City (Mr. Stevens) made a very excellent suggestion last night, and one in which I agree thoroughly—that the system of laying by a sinking fund should be abolished. It is a system exploded in all modern finance. It has been recognized for many years past, by all persons who know anything of finance, that it is a most cumbrous and useless proceeding to be borrowing money, and at the same time attempting to pay off the debt. It is a very complex system, and to abolish it would be attended with great advantage. I do not agree with what the honorable member for Auckland City East said on the subject. It is a matter which must be dealt with by this House, and must in some degree be optional with the holders of bonds. I do not, however, see that they would be prejudiced in any way, and think the change could easily be made palatable to them, while the country would be relieved of a very heavy charge. With regard to the reductions and savings which have been dwelt upon last night and to-day, I think we must take into consideration, in any course we may adopt, the fact that four months of the present year have already passed, and that there cannot be any saving in regard to that portion of the year. And then, if you are going to discharge a number of the Civil servants, you must give them at least three months' notice. That is as little as they have a right to expect. I know that a clerk in any merchant's office in Wellington would think

himself very badly used if he did not get that amount of notice. So that seven or eight months of the present financial year have to be provided for before any reductions can be made. That is a matter which must be considered. Then there is this other question, which must not be lost sight of: That a great revolution in the government of the country is taking place. The provinces are to be abolished, and the provincial servants will have to be compensated, or discharged, or absorbed in the General Government service. It is absolutely necessary that these matters should be carefully looked into when we are talking of retrenchment. It is useless for honorable gentlemen to come down and say the Government must make this and that reduction. It is not in the power of the Government to do it. It is a matter which will have to be considered very carefully when the provincial departments are taken over. That will be a very good opportunity for consolidating the services, and making such arrangements that next year this Government, or whatever Government may be in power, will be able to come down and show clearly what is the entire expense to the country of the whole of the Government departments. Then we shall really be able to see our position, and know whether our expenditure is kept within our income. With regard to the credit of the colony, and the statements that we should not go on raising loans, I said the other night, and I repeat it again, that as long as we can show that our accounts are kept in the manner in which they are at present—as long as they are intelligible to people who will take the trouble to investigate them—we shall be able to get all the money we require. In the money article of the *Times* of the 4th August last, it was stated that the rate of discount was 1 per cent., and that money at call could be obtained at $\frac{1}{2}$ per cent. Is it to be supposed then that the colony cannot get any reasonable amount of money year by year if it is willing to pay 5 per cent. for it? It is to me unintelligible that any one could hold such an opinion. Something has been said about the new loan, and in favour of raising one million instead of two millions. I am one of those who think that it would have been better for the Government to have taken power to raise two millions instead of one million. It is clear from the Financial Statement that Government lean upon the £800,000 of guaranteed debentures: that is to say, that they hold them in such a way that they can be hypothecated or disposed of if necessary. I do not think it is advisable that there should be over and over again a recurrence to that sort of thing. I think it is better we should directly take up sums of money as we want them, and keep these debentures as a reserve. We could not get advances on the £800,000 for nothing, and if the whole amount which it was first proposed to raise were raised, it would only cost some £100,000. I would suggest that Ministers should think the matter over, as it is one which may come under consideration again. I believe myself that the Government should take power to raise the £2,000,000, and use it or not according to circumstances and the state of the money market.

I will follow up what I have said about the Customs revenue by one remark: that presuming the Customs revenue for the following three quarters reaches the amount for the last quarter, and that is the average for the eight preceding quarters, it will then show a surplus of something like £5,000 over the amount which the Premier has taken credit for in his statement.

Mr. WASON.—I regard the resolutions of the honorable member for Nelson City, and also the suggestions of several other members, as of a most cowardly nature. I quite concur that the House is not in the humour to make reductions of a sweeping sort. Why, Sir, the honorable member for Akaroa, and the honorable member for Avon, who talk so loudly about reductions, would be the first men, if any reductions were proposed in the salaries of any official, to say, "Oh, don't; he's got a wife and four children," or a grandmother, or a great uncle, or something of that sort, "to support." Even when I proposed a reduction in the vote for the library, in which case there was no grandmother and no great uncle on whose behalf to exhibit a tender care, those gentlemen opposed it. I, for my part, listened with great pleasure to the Supplementary Financial Statement delivered by the Premier the other evening, a statement which was such an immense improvement upon the weary waste of words we were treated to at the beginning of the session. I listened to it with great pleasure, because it placed the financial position of the country in a clear, lucid, and straightforward manner, and I shall be quite satisfied if I, as one having a considerable personal interest in the country, and as representing a large section of the community, hear nothing more detrimental urged against the permanent condition of the country than was urged in the speech of the honorable member for Akaroa. The honorable gentleman went into the figures in a manner that did him credit, and argued them out in a way that seemed perfectly satisfactory to himself; but then the finances of a country are affected, as are the appearances of a city by the orbs that move above us, by the view you take of them. For instance, if an outsider were to come to Wellington and see the sun shining, the sky clear, and everything *coulour de rose*, he would say, "What a beautiful place!" But let him come here at two o'clock in the morning, when there is a south-east gale blowing, a drizzly rain, and the stars not shining, would he not say, "What a dirty, murky hole this is!" I do not like our financial system; I do not like these Treasury bills; I do not like the idea of subsidizing local bodies either out of land revenue or Consolidated Revenue; but I want to see something better placed before me before I cry down the system we have. These gloomy predictions remind me of an occurrence that took place at the first dinner I attended at a public school. The choice of joints was limited to a leg of boiled mutton, and one little boy cried out, in a shrill voice, "I don't like boiled mutton." "Very well," said the master; "you may not like boiled mutton now, but perhaps you will like it for tea; and, if you don't like it for tea, you

may like it for breakfast." That is the view I take of the matter. We must be content with what we have got until we can get something better. I will not bark unless I intend to bite. For that reason I shall not expatiate upon the delinquencies of the Government, but will look upon the matter from a more rosy point of view than other honorable members have done. The honorable the Premier, contends that he has a surplus of £58,953 with which to terminate the year, but this sum will, I suppose, be equalized by the supplementary estimates down to zero. Now what we have to deal with is an estimated deficiency of £57,113 upon the Land Fund. I arrive at that amount by deducting the surpluses of the wealthier provinces, amounting to £89,480, from the estimated deficiencies of the insolvent provinces, amounting to £146,593, leaving, as I said, a deficiency of £57,113. That is a fair way to look at it. People in England do not recognize the petty local distinctions we maintain here. They simply look at the position of the whole country as it stands. Now, let us look at the position of the colony from this point of view. There is, it is said, a deficiency of £57,113; but let us give the cards another shuffle. Suppose the Government take over the departmental expenses, how will they stand? Let us deduct from their account the sums proposed to be given to Municipalities from the Consolidated Fund. They amount to £75,000, and adding to that the £48,000 to be paid to the Road Boards from the Land Fund, we have a sum of £123,000 which is fairly chargeable on property, for it is to be spent for the improvement of property and for no other purpose whatever. Now, if we deduct from that sum the estimated deficiency of £57,113, we have a clear surplus of £65,887. The Premier may, I think, fairly count upon that as a distinct surplus with which to commence the year; and I wonder if the honorable member for Akaroa would dare, even if he were Colonial Treasurer, to propose an income tax simply for the improvement of property. I do not object to a property or income tax provided it is raised for the purpose of doing away with some direct taxation; but the proposal to impose a property and income tax while a considerable amount of income is being expended at the present time is, I contend, absolutely preposterous. I do not believe, as long as there is a single acre of land to be sold, that the members of this House will submit to it. Then the honorable member for Akaroa went out of his way—I do not know what he was thinking of at the time—when he had the audacity to compare New Zealand to countries like Egypt and Turkey. Why, Sir, this is a country which has the finest climate in the world; a country which has gold fields, wheat lands, and natural productions in abundance; a country which grows wool second to none in the world; and yet the honorable member dares to compare it to countries such as Egypt and Turkey—downtrodden countries which—

Mr. MONTGOMERY.—If the honorable gentleman will allow me, I will set honorable members right as to what I said. He clearly misunderstands me, or wishes to misrepresent me.

I said that our lack of accumulated savings placed us in an analogous position; and I carried the comparison further by comparing this country to France, which had accumulated savings. It was solely that point—the accumulated savings—upon which the comparison was founded. I took care to say, and I said it after much thought, that I had no fear as to the future of this country—that its resources and the energy of its people would carry it through. When I spoke of the results that followed the want of accumulated savings I spoke of three countries—Egypt, Turkey, and Spain.

Mr. WASON.—I was certainly under the impression that the honorable gentleman compared New Zealand with Turkey and Spain. I am not so sure about Spain, but I am sure the impression left upon the minds of honorable members was that a distinct comparison was made—a sort of comparison that is often made by members in this House and generally throughout the country—with Turkey and Egypt. Why, Sir, I would like to know when Turkey ever borrowed one cent to be spent in reproductive works? Never. All the money they ever borrowed went to maintain harems, building ironclads, and raising armies.

Mr. MONTGOMERY.—What about the Suez Canal?

Mr. WASON.—The Suez Canal was constructed by the French and English; but, for that matter, I would as soon see New Zealand compared to Egypt as to France. The honorable gentleman alluded to the hoardings—I think that was the term he used—and said that the indemnity incurred by the invasion of the Germans into France was paid entirely out of the hoardings or the savings of the people. That statement, if I may be allowed to say so, is at variance with every fact. The loans necessary to meet the expenses of the war and the indemnity payment were raised by France in every market in the world. I have been at the trouble to ascertain what taxes were imposed upon the French people during the war, and I find that upon alcohol the duty was raised from 90 francs to 150 francs per hectolitre, the duty upon strong beer was raised to 3 francs 60 centimes per hectolitre, and the duty on small beer was doubled. An annual tax of 60 francs was placed upon billiard tables. The duty on coffee was raised from 1 to 1½ francs per kilogramme; 60 centimes was placed upon every pack of cards; and upon every subscription payable to any club or society a tax was levied equal to one-fifth of the subscription. Many other fresh duties and taxes were imposed and levied, for the purpose of paying the interest upon the enormous loan which had been raised, I say, in every money market in the world. Now, I want to know how the honorable gentleman can possibly say that the indemnity paid by France was raised by private subscription amongst the people. Such a statement is absolutely and entirely at variance with fact. The money was raised by taxation, as those figures will show, if the honorable gentleman will only take the trouble to look at them. I, for my part, do not see the slightest necessity for alarm in any

way whatever. It is perfectly true that the price of wool is lower than it has been for some few years past, but it has been lower than it is now. But besides wool, we have a large grain export. We are more dependent upon our grain now than upon our wool; and a large fall in the price of grain would tend more to create depression in this country than a heavy fall in wool. What was the state of affairs before grain became a large export? You could buy land anywhere for a mere song; but now you cannot buy it under £7 or £8 per acre. And look at our gold fields. Look at the Kumara rush. The gold fields generally are in a healthy condition, and this one rush will tend greatly to increase trade. Therefore I say this is no time to look at the dark side of the picture, and absolutely ignore the bright side. What surprises me more than anything else is, that during all the financial discussions we have had this session, all the rows, if I may use the term, have been created by honorable members representing those localities which have absolutely nothing to lose, but everything to gain, from the proposals of the Government. They have made such a row, indeed, that I am reminded of Lover's story of "Handy Andy," who dressed himself up in a woman's clothes, and, being assailed rather rudely by a rough boor, kicked up a great row about his virtue. That is the position of those honorable gentlemen who oppose the Government, who have nothing to lose and everything to gain. They try to obstruct the Government in every way in their power.

Mr. DE LAUTOUR.—I did not intend to speak upon this question; but one or two remarks the honorable member for Coleridge has just made suggested to me that it might be well to remind the House to what cause the present condition of Egypt was attributable. I will read a short extract from a speech of a gentleman who was in a position to know what I think will be of interest to the House. Mr. Cave, in the House of Commons, stated the causes which led to the financial condition of Egypt, and, I think, some of them existed under a late reign in this country, and they have not altogether disappeared yet. After remarking that the Khedive of Egypt was a most intelligent ruler, and the resources of Egypt very great, Mr. Cave said,—

"He is however obliged to work with the instruments which custom and tradition have handed down to him; to employ officials whom he cannot trust, and whose object is to enrich themselves as rapidly as possible, and so to insure against their uncertain tenure of office. Consequently he endeavours, as many others have done, to manage everything himself, which rulers of far greater bodily activity would entirely fail to do; and, though his knowledge of detail is extraordinary, it is difficult for him to see what it is everybody's interest to conceal. At the same time he is too prone to throw himself into the arms of hardly more disinterested foreign advisers, who press upon him schemes of various kinds, some good, some crude and ill-considered, but most involving heavy expenditure, an undue proportion of which goes into the pockets of those advisers who are often identical with, or closely

allied to, the contractors who carry out the works, and the financiers who find the means. Loans at ruinous rates; bonds renewed on terms still more ruinous; supplementary contracts, in which, for obvious reasons, the Khedive is as much at the mercy of the contractor as the English Post Office used to be in respect of the great steamship companies when contracts were to be renewed—all these have eaten out the resources of the country. The Khedive is of a sanguine disposition, easily impressed with new ideas, which uncontrolled power and impatience of restraint lead him to realize without proper deliberation. Those around him are afraid to tell him the truth. It is most rare for him to find his ideas combated or corrected."

I think that even from Egypt, the much-despised Egypt, we might learn a lesson in this House. While I have the attention of the House I would like to congratulate honorable members on the happy period having arrived when the financial debate has culminated. It has been perfectly piteous to behold the wrapt countenances of honorable members who have been brooding over this debate for the last four months, and have now brought it to a birth. We have it before us, and what is it? We are told we heard great facts and truths from the honorable member for Akaroa, and I am sure that when we have had time to consider those facts and figures we shall thank him. But these are before us in the statements made by the Government. I think the honorable member for Christchurch (Mr. Stevens) threw out an idea by which we might get a sort of bastard stock, and that, I think, was the only original idea thrown out in this debate, which I, at any rate, had the ability to discern. What the value of the idea may be I am unable to say, but I think if we were to issue stock at 5 per cent. it would not be saleable at all in the colony at anything near par. The honorable member for Christchurch dissents. I do not wish to discuss the matter with him, because I have not the ability to do so, and I was merely alluding to the fact that this seemed to be the only original idea we had been favoured with. Of course I would not undervalue the exhaustive speech delivered by the Commissioner of Customs, which was a kind of third financial statement of the Government, and has been promised to be circulated amongst us, but I have not been able to get a copy yet. No doubt as far as the figures went it was accurate and comprehensive, but it did not at all set aside the fact that the electors of Otago were tempted last year with the statement that under abolition £150,000 would be available for roads and works in that province. The statement of the Government that this was based upon a provincial estimate does not excuse them for adopting it, for they ought to have looked into it and seen whether it was justifiable. The fact remains that Otago was tempted with a promise of £150,000, as the result of abolition, for roads and works, and instead of that being the case, the statement before the House shows that £1,200 will be available for six months. I hold that at the end of twelve months, instead of there being £2,400 to

credit, there will be a debit of £20,000. Anybody who is at all aware of the present state of the land sales in Otago, and of the great amount of land looked up in leases and not bringing in much rent, must know that the estimate for land revenue for the next twelve months is fully £20,000 in excess of what the result will prove to be. If the Government congratulate themselves that any deficiency will be made up by the increased price going to be put upon the land, I can assure them they are making a great mistake. The increase in the price will stop the sale of land, and will not increase the proceeds by a single halfpenny. The settlers in the interior of Otago, without railways and decent roads, are struggling with difficulties that are almost overwhelming at the present price of land, and they cannot pay an extra price of 25 per cent. The effect of the Government proposals, if carried will be to reduce the land revenue of the province by a very material amount, and I venture to say that at the end of the half-year, instead of there being a surplus of £1,200, there will be a debit of £10,000. I did not intend to address the House upon the question, for we have had an exhaustive debate, and I am not at all able to cope with it.

Mr. GIBBS.—In seconding the resolution of the honorable member for Nelson City, I do so in all sincerity and without any regard to what the Government might think of it, and with the feeling that attempts to make reductions in Committee of Supply are, as far as my experience teaches me, very seldom successful. I believe the duty of making reductions can be better performed by the Government than by the Committee; but I have no idea of giving up the privilege which I, as a member of this House, hold, and which I am prepared to act upon by supporting the honorable member for the Thames in any reductions he may propose which I think will be expedient. I am quite prepared to support some reductions in these estimates; and the honorable member for the Thames will find me supporting him in any reductions which I think are reasonable and for the good of the country. The fact of these resolutions passing will not prevent—and I do not think are intended to prevent—the Committee from considering reductions in items. I simply rose to explain that seconding the resolutions will not in any way prevent me from supporting any proposed reduction that may be submitted in Committee.

Mr. THOMSON.—We have heard a very able speech from the honorable member for Coleridge, delivered in his best style. He commenced by telling us that he looked upon the resolution of the honorable member for Nelson and the proposed amendment of the honorable member for the Thames as cowardly. I understood him by that to mean that this House was not in earnest in its desire to retrench; and that sentiment was given expression to this afternoon upon two or three occasions, so that in this respect the honorable member is not original. What does it mean? It simply means this—and it is most cowardly to insinuate things without coming straight out with them—that because a number of gentlemen in this

House considered that the honorarium they had been in the habit of receiving was not sufficient, therefore they were not in earnest in regard to retrenchment.

Mr. WASON.—I was not alluding to the honorarium in any way whatever. It was not before my mind.

Mr. THOMSON.—I accept the honorable gentleman's remark; but that will not prevent me going on with the observations I intended to make, because that statement has been repeated over and over again. Just suppose that this House had not been in the habit of receiving anything at all, and that the members had thought it was desirable they should receive something, and had taken steps to get, say £50 each put upon the estimates, the very same charge would have been made. It is altogether wrong and unworthy of members of this House, some of whom may happen to have very long purses and can come here and serve the country gratuitously, to be always insinuating such things. Then the honorable member for Coleridge referred to my honorable friend the member for Akaroa. He seemed to have a set speech made up, for he rushed headlong, as it were, at that honorable member. I was sitting beside my honorable friend yesterday when he spoke. Certainly his figures were not very interesting, and at times the House was very thin indeed, but I did not see anything wrong in the speech of the honorable member, and he did not appear to me to take such an extremely gloomy view of the country. He seemed to me to bring out nothing new. The facts and figures he gave have been before the House for the last four months. The honorable member for Coleridge would make us believe that there was nothing wrong: that wool might perhaps be a little down, but that we have grain to fall back upon. At the same time I noticed that he divided the provinces of New Zealand in a very remarkable way—into solvent and insolvent. That is not a very nice remark to go abroad, and if the honorable member wished to convey an idea as to the excellence of the financial position of the country, he should not have spoken of the provinces of New Zealand as solvent and insolvent. The honorable gentlemen then favoured us with his views in regard to a property and income tax. He told us that we must not have such a tax, and that there never would be such a tax until every acre of land had been sold. I daresay the honorable member was right. I believe that the large landowners would be very unwilling to agree to a property and income tax as long as there is any land to be sold. I may say I was sorry to hear that remark made by the honorable gentleman, because it shows that an endeavour will be made to sell the lands of the country, which will pass away without any population being settled upon them, into the hands of large capitalists. We were treated to a dissertation on the three countries of Spain, Egypt, and Turkey. I think the allusion of the honorable member for Akaroa to these countries was perhaps not so very happy. But, in what respect did he compare this country to Egypt and Turkey? The comparison was quite correct. It was this: that in

these countries, as in ours, there is no accumulated capital. That is quite true. Where do we go to get our loans negotiated? Do we not go to the Home country? It is there we go for our money. It is quite true that there is no accumulated capital in this country, and the remark is true as regards Egypt, Turkey, and Spain. Then with regard to France. The opinion with regard to France is that there is any amount of money there,—that the people are extremely frugal and industrious. The system that prevails in France is a system of small holdings cultivated by the owners of these holdings. For centuries the French people have been hoarding up money. Everybody knows that. During the three years ending 1873, £171,000,000 was raised in France by taxation, and £200,000,000 was borrowed. Now, could the former amount of money have been raised except the people were extremely industrious, and had accumulated a large amount of savings? I cannot see very well the bearing of these remarks on the question before the House; at the same time, as these matters have been alluded to, it is only fair that members should reply to them. Now, to come to the real question before the Committee. It seems to me to be this: whether the estimates are to pass very much as they are, the Government in the meantime giving their assurance that during the recess they will go over these estimates and endeavour to reorganize the Civil Service and reduce the expenditure, or whether we shall take action this session with the view of reducing the estimates. That seems to be the question before the House. The honorable member for Nelson City says this: "Well, I have thorough confidence in the Government; I know that they will do what is right; I know that the moment our backs are turned they will retire to their rooms, and go very carefully over these estimates: they will consider the items that may be reduced, and they will come forward next session and show that large reductions can be effected. Therefore I for one am willing that the estimates should pass this session very much as they are."

MR. SHARP.—No.

MR. THOMSON.—I am glad to hear the honorable member say "No," because that is the way I understood him. What does the honorable member for the Thames say? He says we should begin now; we should endeavour to do what we can this session in regard to reducing the public expenditure. The honorable member for Port Chalmers proceeded to indicate the direction in which he thought that retrenchment might go even this session, so that I was a little astonished to hear him say that he intended supporting the resolutions of the honorable member for Nelson City. The honorable member proceeded to show how retrenchment could be effected. He said we could reduce the number of ports of entry. I put it to the honorable gentleman whether that could not be done this session as well as next session. He then directed attention to certain subsidies to steamers on the West Coast and steamers on the East Coast. Could he not take action this session to reduce those subsidies or to set them aside altogether? I think it would

be as easy to do so this session as next session. Suppose we took action next session, three or four months' notice would require to be given, and such notice can be given as well this session as next session. Then, again, the honorable gentleman said that there were too many Native Magistrates in the different districts. I do not pretend to know very much on this matter, but I take it, on the authority of the honorable gentleman, that there are too many Native Magistrates. Surely it is as easy to clip the wings of those Native Magistrates this session as it will be during next session. Then there are the Volunteers. Why not strike that expenditure off this session? I believe that the item for the library is already struck out. Then, with regard to the Forests Department, I believe the Legislative Council have thrown out the Bill; but I hope the £10,000 will not be spent in the way proposed, as it might as well be thrown into the sea. I think the Government should take back these estimates and go over them carefully, and then indicate to the House the items in which they consider reductions might be made. I know quite well, from the experience I have had in legislative matters, that it is almost impossible to get items reduced or struck off the estimates as brought down, so that if the Government take back these estimates, we may reasonably expect that, if reduced, they would be passed by the House, and in this way a considerable reduction might be effected. I have given the honorable member for Port Chalmers, credit for what he has done, and I am now going to give the Government some credit. I believe that there is no person who has not some redeeming point about him. Now, I sometimes speak pretty hard against the Government, but when I say hard things against the Government, I believe what I say, or I should not say them. I believe the Government are sincere in the desire to reduce the estimates, to some extent at all events; but it is a matter to them of extreme difficulty. The Government are brought very much in contact with the Civil servants. Look at the conduct of the Government this session in respect to the Civil servants. The proper place for the Government to sit would be in the centre of this Chamber. They sit at a corner of the Chamber, and there happens to be a door where they sit, and the Civil servants are continually coming in, and the more important the question before the House the greater the number of Civil servants at the back of the Government benches; and what are these Civil servants doing when they are there? We see them continually whispering to the members of the Government. If any matter happens to be before the House of which the Commissioner of Customs has charge, then there is a gentleman behind him telling him what to say as it were, and how to answer the various questions that may be brought up in the House. Then, again, take the Minister of Justice. If there is a question before the House especially belonging to his department, we find one or two gentlemen at his back whispering to him, taking notes, and giving him information as to what should be said, and what information should be brought before

the House to contradict the statements which have been made. And the same remark applies to the Premier. When he has charge of any matter, there are one or two gentlemen behind him whispering to him, and telling him what to say, so that there can be no doubt that the members of the Government are under, I may say, very great obligations to the Civil Service. We all know that the Civil servants have very great power in this House. They have influence with many members of the House, either of themselves or through their friends, so that it is a matter of very great difficulty to reduce their salaries. We all know that when we are under obligations to any person, we are, to say the least of it, actuated by kindly feelings towards that person. Take, for instance, the case of the Government and the present Agent-General. It is said that the Government are under very great obligations to that gentleman with regard to many matters that have come before the House. If we put all these things together, it must be very evident that it is a matter of very great difficulty to do anything in the way of retrenching the cost of the Civil service. I think one way of getting over the difficulty of all this prompting which goes on, and which is so great an annoyance to the House, would be for the Government not to sit so near the door. It would be a very great improvement if they would come to the middle of the House and sit, say, where the mace is now placed. They would not then be under so many obligations as they are now under to the Civil servants for information on all subjects, and we could hear them better when conducting the business of the House. It is really a matter of very great difficulty at present to understand what those honorable gentlemen say, some of them speak in so low a tone of voice. And then, in regard to understanding the figures they quote. We had a speech last night from the Commissioner of Customs, who gave us a great array of figures, which he said had reference to the Province of Otago; but, I think, it would be very difficult for any honorable member to say what was the nature of those figures. We are now speaking about retrenchment; but there is one little matter which would not cost much, and which would be a great assistance in enabling members to understand figures given in that way. We might invest in a black board, and then the Commissioner of Customs, instead of pronouncing in an inaudible voice certain figures with regard to Otago, could take a piece of chalk and write them down on the board; we might have some chance of understanding them. Then again, it has been said that we are not in earnest in regard to the subject of retrenchment. But I say that many honorable members have brought under the notice of the Government in years past the desirability of keeping down the number of officers. It has been pointed out to the Government that the day would come when it would be necessary to dismiss many of the Civil servants. There are many members in this House who have had experience of Provincial Councils, and who know that Provincial Councils have had to retrench more

or less, and that retrenchment is a very difficult thing to carry out. We are just commencing it this year, and I think we cannot commence it one day too soon. But, Sir, it will not end here; it will not end this year; it will not end next year. The process must be a gradual one, and we may expect for years—I may say for many years—petitions coming up to this House bearing on the injustice and the apparent injustice that has been inflicted upon members of the Civil Service in consequence of their having been dismissed, or of their salaries having been unduly reduced. I do not think, therefore, that it can be said with any degree of truth that this House, as a whole, is not in favour of reduction. We have also had references to the present financial condition of the colony. I am not going to enter into that subject at all. I am not going into any critical address regarding the finances of the colony. That is a very difficult matter indeed, and one has really very little heart in trying to make himself acquainted with the financial condition of the colony, because the figures that are presented to us are for ever changing, and what we are told is the truth at one time turns out to be—I was going to say falsehood, but I will not say that, but fallacious, on another occasion. Last year a paper was circulated in this House showing that the provinces were going to be a great deal better off under abolition than they were under the old provincial form of government. I have not taken the trouble to turn that paper up in *Hansard* and the Blue Books, but I know it was stated that Otago would be many thousand pounds better off under the new system than under the old. But what do we find this year? We have had another Financial Statement, and I should like to know why the great expectations which were held out to Otago and the other provinces, that they were to be so much better off, have not been fulfilled?

Major ATKINSON.—Yes, they have.

Mr. THOMSON.—I hold in my hand the Financial Statement delivered a few evenings ago. Perhaps the honorable gentleman has not seen it. I will refer him to page 7 of that document, on which appears a table in which it is stated that the great Province of Otago will have, for six months, out of the whole of her land revenue, a sum of £1,244 5s. 7d. That is the whole of the money available out of her land revenue for six months.

Major ATKINSON.—She would not have had one halfpenny if she had remained a province.

Mr. THOMSON.—That is a mere matter of opinion, and my opinion is the very opposite. My opinion is, that if Otago was allowed to go on as in the past, she would have a great deal of money to expend. We are told that the counties are to have the expenditure of the money. No doubt they are; but does any one think that the counties will tax themselves except for works in which the taxpayers in those counties are specially interested? The moneys which the counties raise will be chiefly required for the maintenance of roads and bridges, and all that the great Province of Otago is to have for half a year to open up the country for settlement is the princely sum of

£1,244 5s. 7d. When the honorable gentlemen on those benches make statements they say, "We will speak in round numbers; we will drop the shillings and pence, but the correct figures will appear in *Hansard*. I do not drop this 5s. 7d., for it would appear that the shillings and pence are now to be of great use. £1,244 5s. 7d. is all that is to be available for the great Province of Otago for half a year out of her land revenue. I wish to state that distinctly in the House, and I hope some of the people of Otago will hear of it, and know that the whole of her land revenue has been swamped except £1,244 5s. 7d. If you wish, Sir, to know what will be available for opening up the country for settlement in the Province of Otago during the year, you have just to multiply that sum of £1,244 5s. 7d. by two. That is the fruit of abolition. If there are any Centralists in Otago—and I believe there are very few—I think their eyes will be opened when they come to see that the whole of their yearly land revenue is swallowed up except £1,244 5s. 7d. multiplied by two. I am not going into the question of the counties. I did not speak upon the County Bill when it was going through Committee. But I have my own opinion in regard to this counties question, and that opinion, which is now generally shared in throughout the country, will be more and more entertained. I believe the whole thing is an absurdity—a farce; and the people will see that in its full force by-and-by. We are told that the counties can tax themselves and borrow money; but it should be remembered that the ratepayers have not a great deal of money in their pockets at the present time. Wool and grain, as has already been stated, are low in price; and we cannot expect people, in the present state of things, to tax themselves to any very great extent. Of course, the Government say they must tax in order to obtain the subsidy of £2 to £1; but where is the £2 to £1 to come from? Numbers of people seem to think it will drop from the moon, or come from some other mysterious source; but they will of course find out by-and-by that the £2 comes out of the same pockets as the £1. As I have already said, I am not going to make a critical speech; but I must congratulate the Government on having a very staunch supporter in the honorable member for Nelson City. We have been accused over and over again of wasting the time of the House; but I should like to know who has been wasting the time of the House during the last few days? We have come to the House on several occasions lately with the express object of getting through some particular business, and it has been intercepted just in the way the business has been intercepted this afternoon. We came here expecting the House to go into Committee of Supply; but instead of that, we are called upon to discuss a matter which has occupied a whole afternoon, and may yet occupy a considerable amount of time. The Government is responsible for this, although of course they will say, "Oh, we are not responsible or answerable for this discussion; we have had no connection with the honorable gentleman; we are as innocent as the babe un-

born;" but the honorable gentleman is a supporter of the Government, and if they had asked him to withdraw it, he would without doubt have done so. I think the Government should be thankful that there is a party in the House which is really willing to assist them in reducing the estimates, for they have really a very thankless and difficult task to perform. Take the case of a factor in the management of an estate. If he wishes to reduce the expenditure on that estate, he can do so much more effectually if he has instructions from the squire to that effect; but without these instructions, the servants might feel disposed to argue the matter with him, and he would find impediments thrown in his way. Now, the Government can reduce the expenditure with a far better grace if they have the approval of this House, and there is no doubt that approval will be readily accorded. Some persons are of a more hopeful temperament than others, and it is well that it is so; but when we come to speak of the prospects of the colony at present, all must admit that they are not cheering. The honorable member for Nelson City admits this; and the Government, by accepting his motion, admit it. At the same time, we all feel hopeful of the country, and must have a firmer feeling in its future, if there is a Government at the helm who will administer the affairs of the country economically, and reduce the estimates so as to bring the expenditure within the ordinary revenue of the country.

Mr. LUSK.—I have no desire to prolong this debate, which has already extended beyond the limit which the honorable member who moved the resolution expected it would reach. At the same time, remarks have been made in the course of the debate, and more especially by the honorable gentleman at the head of the Government, which render it imperative that the members who constitute the Opposition in this House should express some opinion upon the matters which have arisen out of the discussion upon this motion. It is unfortunate that the resolutions were placed before the House in their present shape, and I am convinced that the Government, now that they have seen their effect, are of the same opinion. I have no doubt the Government would be glad to be excused from the act of the officious friend who has stepped in and done them this injury; because it cannot be pleasant to the Government to find themselves exposed to the close criticism which must naturally take place before such a resolution could be allowed to go to the vote. It seems to me to have been a work of supererogation on the part of the honorable member for Nelson City to bring forward such a motion. The temper of the House has been very plainly shown—it was shown last night—but that temper was not the temper attributed to the House by the resolution of the honorable member. It not only went so far as to say that we considered retrenchment exceedingly desirable; it went the length of saying that we intended to lend a hand ourselves in carrying out that system of retrenchment, which we thought necessary; and if the resolution meant anything, if the terms in which it was couched in the least degree represented what the honorable gentleman

meant to express, it meant that those who voted for it should abdicate the functions with which they are charged, and leave them in the hands of the honorable members who sit on the Treasury benches. It meant that we were prepared, having tried on the previous evening to reduce the estimates and failed, to give up the struggle, and say, "By all means let the Government do the best they can between this and next year." For my part, I am not prepared to abdicate the functions I was sent here to fulfil. It is the duty of this House to consider these estimates in detail: that is why they are presented in this form. It is our duty to criticise them, and, if necessary, to cut them down. Conceiving that to be my duty, I do not thank the honorable member for Nelson City for expressing in my name any opinion contrary to that belief. But while I think the honorable gentlemen has entirely misconceived the temper of this House, I also think he intended to do the Government a service. He meant to do what they wished him to do; and as an ardent supporter of the Government, he wished to step in between them and the chance of prolonging the session by criticism of the estimates. If he had such an intention, the experience of this afternoon must have shown how completely his object has been frustrated. The discussion of the resolutions has occupied several hours, and has not advanced matters a bit. I do not think, however, that it has been altogether a waste of time. It is a desirable thing that members should be brought face to face with the question, whether they are prepared to effect reductions or not, and whether they see any desire on the part of the Government to make reductions. I confess that the remarks of the Premier do not at all impress me with the idea that he is prepared to effect any very great reductions in the cost of the public service; and that impression was gathered, not from the words he actually used, but from the careful manner in which he guarded himself against making any strong assertions in favour of reduction. He guarded himself, with a sort of proviso that it was very likely he would not be able to carry out his ardent wishes. That is exactly the position the honorable gentleman occupies. He would like to cut down the expenses of the country, but he would like to do it in such a way that the Government would not be rendered unpopular. In that respect he is, of course, like other Governments. No Government likes to render itself unpopular. But there are times when the part of the Government, and the part of any honorable member who takes the helm of affairs, should be to cast away those personal considerations which naturally lead a man to shrink from unpleasant duties, and to consider only what is necessary for the public welfare. I think that the honorable member, if he thought only of the present state of the finances of the colony, and thought not at all of the question whether the members of the Civil Service and the numerous friends of those members would like what he proposed to do—if he had had the singleness of purpose demanded by the present state of affairs—would not have been so careful to guard himself at every turn by sug-

gesting that perhaps he would not be able to do very much after all. The time has come, if I at all understand the state of our finances, that there must be no half-measures in such matters as this. I do not say it is possible for a Government, at a moment's notice, largely to cut down the expenditure of the country; but I do not admit that the Government is placed in that position at all. It appears to me an absurdity to look upon this Government upon the Treasury benches as a new Government. I cannot admit it, although it has nominally a new head. I cannot admit that the Government is any other, for such purposes as this, than the Government that had been in office for many months. I ask, who are the members that form the Government now? Are they not practically the same men who have been at the head of the departments for a year past? Is it not the case that the Premier has been practically the head of several departments of the Government for more than a year, and that the Minister of Justice has occupied the same position for more than a year that he now occupies? Is it not the case that the Minister for Public Works is exactly where he has been for some years past? Is it not the case that the Native and Defence Minister is the same man as before? Then how can these honorable members come to this House and ask for an indulgence which might be claimed by a new Government stepping into their seats in the middle of a session? The thing appears to me to be a mere sham. If those honorable members will confess to this House that only when this session was far advanced had they any idea whatever that the finances of the country were in a bad state, that they had a conception that they were over-running their means, and that their expenses were greatly in excess of their income, and that such a knowledge was reluctantly forced upon them by the Opposition, we might be ready to say that their ignorance, however culpable, was some little excuse for the request they now make. I do not consider, from anything I have heard, that they are prepared to admit this. They have never admitted that they were in this state of blissful ignorance of the condition of the finances of the country. Up to this time they have said they knew all about it, and their eyes were open when they brought down estimates which were very much in excess of the revenue of the country. This prevents me from feeling any security in relegating this question to the Government, and leaving them to act upon these resolutions during the recess. The Government have, not for one year, but several years, gone steadily on in a career of increasing extravagance; and is it possible that this House and the country can with confidence hand over the matter to them, and say, "We are sorry you have hitherto been so extravagant, and that you have proposed to spend so much money, but we believe that, before next year, you will turn over a new leaf"? I have no confidence in anything of the kind. I believe that, if this House does not do it, the Government will not do it. I am confident of that in my own mind. When the Premier stated to-day that the Civil Service of the Colony of

New Zealand was the cheapest Civil Service in the world, and not only the cheapest, but the most zealous and efficient, that honorable member made it perfectly clear to every unprejudiced mind that he had not the very first element of mind which would induce him to apply those stringent measures which are necessary to bring our expenditure within our means and our income. I am certain of this, because if our Civil Service is the cheapest, we can hardly expect that he will greatly decrease that already very economical administration. The honorable gentleman, when he said that, was using a figure of speech, one of those poetical figures of speech which will not bear reasonable criticism. Sir, there is no country, I believe, in the world—to put it in the same general and brilliant way as the honorable member—where the Civil Service is so extravagant as it is in the Colony of New Zealand. I am not now speaking simply in poetical figures, for I have taken the trouble to ascertain whether what I am speaking was strictly true or not. I can assure the honorable member that if, instead of using those ready and broad figures of speech, he will take the trouble to investigate the facts, he will find that, instead of being the cheapest, it is the dearest Civil Service, I think, almost in the civilized world. Yes. The honorable member laughs; but I fear it is in this case the laugh of ignorance. If the honorable member knew what the facts were, instead of laughter, it would cause him some little shame to think he should have come to this House and made, in his position of Premier of this colony, an assertion so wide of the facts. The fact is, as I have already hinted, that the Civil Service is not only extravagant in proportion to our means, but it is absolutely enormously extravagant in proportion to the expenditure of other colonies and other countries. I have not had time, since the honorable gentleman made that assertion, to go through any large number of the financial statements of other countries. However, in every case in which I have done this, I have found my impression on this matter to be fully borne out by figures. I will give the honorable member one or two instances, since he appears to be now anxious to collect facts. I will give him the instance of the neighbouring Colony of Victoria. I think he will admit that Victoria, with a population double that of New Zealand, and its wealth enormously in excess of that of New Zealand, may very fairly be looked to as an instance of a country which could hardly be expected to have cut down its expenditure on departments to the very lowest possible limit consistent with efficiency. It is quite reasonable that a very wealthy colony should be more liberal in this respect; and it is equally reasonable that a colony struggling with difficulties, and admittedly in a bad financial position, should exercise very rigid and stringent economy. I find that in Victoria the expenditure of all departments for salaries is not only proportionately less, but almost literally less, than the expenditure of this Colony of New Zealand. That will, no doubt, surprise honorable members, and I will confess that the extent to which it is the case

surprised me. But still the fact remains. I will take the figures I am about to use from the last Financial Statement of the Treasurer of Victoria. It shows, in regard to the Customs, a department the Premier was very anxious to know about, that the expenditure in Victoria upon all sorts of salaries connected with the collection of the Customs revenue is somewhat short of £48,000, and the expenditure for salaries connected with the Customs in New Zealand for the year was something more than £42,000. The revenue which is expected to be collected in New Zealand with that amount of expenditure is something short of £1,250,000, while Victoria will collect nearly £1,700,000.

Mr. G. McLEAN.—Ours is much cheaper.

Mr. LUSK.—I think, if the Commissioner of Customs will consider, he will see it is not much cheaper.

Mr. G. McLEAN.—There is only one port in Victoria.

Mr. LUSK.—Does the honorable member imagine there is only one port in Victoria? If he knows no more about the ports of Victoria than that, he is much less fit for the position of the Commissioner of Customs of New Zealand than I thought he was. There are far more ports in Victoria than one; and not only is that the case, but an inland branch of the Customs has to be kept up on the border between that colony and other colonies, which very largely increases the expenditure; and that is not the case in New Zealand. Such a remark, coming from the member of the Government specially charged with and who ought to be specially informed upon such subjects, is but one other thing that makes one feel doubtful about leaving these matters in the hands of the Government. In New South Wales, the expenditure on the Customs Department is £35,000; and for Customs salaries ours is £42,000. They collect, or rather did collect, until the other day, when they very largely cut down their Customs tariff, as much or more money than we can collect; and I presume the cutting down of the tariff could not have enabled them to greatly reduce the establishment. These two colonies, in collecting the revenue, set us an example we should do well to follow. I think the honorable gentleman at the head of the Government and the Commissioner of Customs will do well to learn the lesson: it may be of some use to them, and may induce them in future not to laugh when any suggestion of economy is made. I might go on to point out that the same statement is true with regard to the Postal and Telegraph Departments, and, strange to say, it is also true with regard to the Legislative Department. That may certainly surprise some honorable members, but it is the fact, that even in the matter of the Legislative Departments, those colonies, larger and more populous and very much richer than ourselves, do not expend so much money by a good deal as we do. I have not mentioned the honorarium paid to members for the simple reason that I do not know what it will be this year in New Zealand. I put that on one side, and take the mere cost of the establishment, and ours is the most expensive of the three.

Sir, I do not wish to weary the House by going at length into these matters. I merely want to impress this upon the House and upon the Government because I heard the Premier make a statement, which led me to think that the real position of the colony in these matters had never entered into his calculations. Now I find that the honorable member at the head of the Government has accepted, with a readiness which is almost affecting, the motion proposed by the honorable member for Nelson City. He is very willing that this House should say to him, "We really do not feel equal to reduce these estimates: we will be exceedingly glad if you will do it for us next year." There is no Government I have heard of that would not like to have this implicit confidence placed in it. Nothing can be more pleasing to the Government's feelings than that; but at the same time nothing can be more unfair, nothing can be more unjust, to the Government than to treat it in that way. I was really astonished at the shortsightedness with which the honorable member at the head of the Government was willing to accept a little momentary relief, a little ephemeral peace, at the hands of the House, to be undoubtedly revenged upon him next year when this House met, and found how little he had been able to do to fulfil the trust reposed in him. An honorable gentleman who has lately sat down drew a parallel between this case and the case of an agent for the proprietor of an estate; but if he had gone further and pointed out that, if the proprietor of the estate really wished large reductions to be made, he would indicate where these reductions were to be made, and so would make it a matter of duty on the part of the factor to reduce the expenditure, he would take the burden of responsibility off the shoulders of that factor, then he would have more fairly drawn a parallel between the case of the Government and that factor. If we see fit, as I trust this House will see fit, to ask that large reductions shall be made, not generally over all the estimates but in particular directions, such, for instance, as those already suggested by the honorable member for Port Chalmers, then the Government will not only be acting with the moral support of this House, but will have an immense amount of odium taken off their shoulders, which they would not have taken off them if they were to act as suggested by the honorable member for Nelson City. I am tender of the Government's feelings. I am very anxious indeed to take off from the Government that weight which might press somewhat heavily upon them, seeing that they are so anxious to tell us that they are a very young and inexperienced Government. I am anxious not to cast a severer weight on them than the necessities of this colony necessarily place upon them. I want them to feel their responsibility. I want them to feel as I do, that these are no times for half measures. They have admitted that we were in a very bad financial state—that the colony was in a state which we can scarcely characterize in the plain terms which might be used by those who had less interest in its well-being. I say, when we

find ourselves in that position, and when the Government admit that position practically, I wish to see the Government really facing the difficulty, and joining with us heart and hand in reducing the expenditure within the limits of the income. That, I conceive, is the duty of the House. I conceive it to be our duty, in going through these estimates, not to be frightened at every turn by the Government saying, "We are really afraid that we shall not be able to carry out this reduction." I conceive that the duty of any Government is, above all things, to keep their expenditure within their income, and a Government that cannot keep its expenditure within its income is a Government that ought not to be on the Government benches. The reply made by the Premier, I believe, last night to the honorable member for the Thames, was one which showed a singular want of appreciation of the position which the Government should occupy. Already, on a former occasion, I stated that it was clear, from the Government's own figures, that they were in the position of having a large deficiency of income to meet their expenditure; and, if the honorable member for the Thames would select the amount which was shown by the Government to be deficient, and would request the Government to reduce their estimates by that amount, he would really do a thing which this House could not intelligently resist. This House, by passing these resolutions, will only be stultifying itself. This House must call upon the Government to reduce its expenditure within the limits of its income. I can fancy some honorable members saying that the honorable gentlemen on the Government benches are the only saviours of the colony for the next twelve months, and that therefore anything that would press too heavily upon the shoulders of the Premier must be avoided at all hazards. I shall be prepared, in common with other honorable members, to relieve the Premier of the unpleasant duty of cutting down the expenditure generally, by endeavouring in this House to reduce expenditure by every possible means, and supporting every proposal for a reduction where it is not absolutely certain that a reduction cannot be made, until we have left these estimates in such a position that the revenue of the colony will be able to meet its necessary liabilities. I think, if this is the outcome of the discussion that has taken place—if this is the feeling left in the minds of honorable members after hearing the discussion of this matter—the proposal of the honorable member for Nelson City (Mr. Sharp) will be by no means thrown away. We shall have, I believe, cause to thank him for having called our attention to our duty, although he called our attention to it in rather a left-handed manner. I can only say that it is not from any desire to oust the honorable member from the present proud position he occupies as head of the Government that I would cut down these estimates; but it is from a feeling that no honorable member of this House can honestly, and in a manly way, face his constituents, if he feels that he has to go back to them and say that he has voted estimates of expenditure in excess of the income

which he expected to see the country receive this year. He would have to say to them, in fact, that he has been a party to an act of bankruptcy on the part of this colony. And no amount of glossing it over, no amount of talk of Treasury bills and financial arrangements, will make any real difference in that position, or will relieve any honorable member who places himself in that position from a degree of self-reproach which I, for one, would be sorry to have cast upon myself. Sir, I shall be exceedingly glad to see the honorable member for Nelson City withdraw this resolution, which I think is very uncalled-for; but, if he does not see fit to withdraw it, I, for one, will be prepared to vote against it.

Sir G. GREY.—I propose to add this amendment to the resolution before the House: "But that this House is entitled to know what Ministry is to be appointed during the recess, who are to compose it, and what offices they are respectively to hold, in order that, in voting large supplies for the public service, this House may know to whom the expenditure of those supplies is to be intrusted." I believe, in proposing this amendment, I am meeting the wish which has been very generally expressed in this House—a wish so entirely reasonable in itself. The House finds itself on the brink of a very great precipice. I would like to point out that, whether an actual arrangement was made or not between the Government and the honorable member for Nelson City, it is quite certain that the resolutions which he has brought forward, traverses the resolution I intended to move, and must have fallen in entirely with the views and wishes of the Government.

Mr. SHARP.—I wish to say in explanation that I was not aware of any resolution the honorable member was about to bring forward. The only person I spoke to was the honorable member for Akaroa, who told me that he was informed by the honorable member for Rodney that he was not certain whether the honorable member for the Thames was going to bring forward any resolution or not. I therefore thought it right to bring forward my resolutions.

Sir G. GREY.—I am entirely satisfied with what the honorable gentleman has stated: I am simply explaining my own position. I intimated my intention to bring forward a resolution. The Premier answered me, and said the Government would not accept it, but would look upon it as a vote of want of confidence—that it would be a Ministerial question—and that is the difficulty that has been avoided by the resolution the honorable member has brought forward. I was saying that the House stands really on the brink of a precipice, rather a remarkable one, and one of very great danger to the country. It must be seen by honorable gentlemen that by the time the next session arrives those funds which are still available must be almost if not entirely exhausted. The Premier says that during the recess they will consider the subject of the reduction in the expenditure. A similar thing was said last session. I do not myself place any faith in the promises made. Another thing is that the

resolution I propose will show that we do not know upon whom such promises would be binding. Continually a new Government is presenting itself, or the same gentlemen in new suits of clothes. One time the Premier presented himself in the dress of the Colonial Secretary. The Minister of Justice retained the same garb that he has now. Others of the Cabinet changed their garbs. Now we have the Premier dressed in robes of another kind—appearing in another character. He says this Ministry is a new Ministry, and we have been told—positively informed—that during the recess, immediately we are got rid of, this Ministry is to be changed. We are told distinctly that the Native Minister is to go, that the Minister for Public Works is to go, that the Colonial Secretary is to go. How many more we do not know; and who are to take their places we know not. When this House meets next session, and its finances are in a much worse position than they are now, as must undoubtedly be the case, it will be infinitely more difficult to make reductions than it is at this moment. To meet our financial position at that time, we shall have to make much larger reductions than now, and we shall have to make those reductions in a less considerate and merciful manner; for we shall not have the funds then at our disposal to do that justice to those whose offices we may think it necessary to put an end to, which we should be able to do now. Not only that, but we shall probably then have to make reductions in public works which ought to be carried on—to make reductions of many kinds that we should very unwillingly have recourse to, and enormous unpopularity and odium must attach to the persons who carry out those reductions. These persons must be the successors of the Government on those benches, who intend to slip out of the thing. They cling to office as long as they have anything to expend, but they know that if they wish to cling to it longer they will not be allowed to do so, and they know perfectly well that there will be a great difficulty to get men to fill the places they hold, and face the difficulties that must surely accrue next year unless reductions are now made. I think that no more unfair proposal was ever made before to any Legislature as that which the Government are now making. They come down and avow that they have had at their disposal enormous sums of money—sums of money which no other colonial Ministry in times to which history reaches have had at their disposal. During that time they might have made reductions with the greatest possible ease; they might have remodelled the Civil Service, and prevented the difficulties in which we are now involved; and they took no steps to do so. Last session this subject was brought under their notice, and the same allegations were made then as now; but, during the recess which has just passed, no reductions, to any extent, have been carried out. During the four months that we have been in session no reconstruction of the Civil Service has been thought of or proposed; no single effort has been made to equalize the revenue and the expenditure. The same blind faith in money con-

tinuing to fall in has animated those honorable gentlemen from the first moment they took office to the present time. All who know anything of human nature must be well aware that all spend-thrifts who embark in a career of borrowing believe that they will always be able to borrow. That infatuation has actuated the honorable gentlemen who fill those benches, and I say that if they are allowed to hold office until next session without having carried out those reductions which ought instantly to be made, the country will be involved in much greater difficulty than it would have to meet if reductions now take place. Reductions at the present moment need not be of that painful character which they must hereafter be. I believe that in many branches of the public service reductions could be made which would inflict no injury on any individual. I believe those reductions would enable the public works to be carried on with greater efficiency than now—that there need be no cessation in public works; that no check need be given to the prosperity of the country; that we should insensibly glide into a new state of things, in which, our revenue and expenditure being equalized, there would be a fair prospect for the future of the country, and it might meet the crisis which is coming with the least possible difficulty. But I feel confident that, if we do not instantly begin to act upon that principle, great difficulties and reverses must take place. There are other reasons which make me think it is our bounden duty to have an explicit statement from Ministers as to what the constitution of the new Ministry is to be before we intrust them with further funds. I say this: that great discontent prevails amongst the Native population—much wider-spread discontent than honorable members of this House are generally at all aware of. I say that we entered into a pernicious system of buying off attacks, of bribing Natives to remain in peace, of assenting to cruel murders being committed in our very midst, and of continuing to pension and bribe the people who, on our actual frontiers, protect the murderers who have fled to them. I say disgraceful concessions have been made to people who were sheltering these murderers, and the inevitable result will be that, when these bribes cease, and the money to pay these bribes no longer exists, we shall be exposed to very great danger from these persons, whose acquiescence in our apparent state of peace we have purchased by means which we must all regard as disgraceful. That is another difficulty we have to meet, and it is encumbered with this further difficulty: that a great part of the Native discontent originates from the present Native Minister having purchased, while Chief Land Purchase Commissioner of the Government, large tracts of valuable land from the Natives for himself at most inadequate and unfair prices—purchases I believe not yet completed. In the province in which he lives there is yet a widespread discontent amongst the Natives, not only in regard to himself, but also in regard to other individuals, some of whom are now involved in legal proceedings with the Natives in regard to tracts of land. I say, if it is intended to put in the Government any individual

implicated in such transactions, a great wrong will be inflicted upon the Native race. I trust the Government have no such intention. If they have, I say, not only will wrong be inflicted upon the Native race, but also upon the European race, by increasing the feeling which exists in the Native mind against some Europeans in this country, and so probably complicating affairs much more than at present. I believe the House is not generally aware that at this very instant bodies of Natives in arms in the Province of Napier are refusing to obey the orders of the Supreme Court, have taken possession of land in defiance of that Court, and risked lives in doing so. Officers have been sent up to stop these proceedings, but they have been obliged to retire without doing anything, and leaving the Natives in possession of the land. Therefore, I say, the greatest care must be exercised in the choice of the person who is to succeed the present Native Minister, if he is allowed to leave the colony before all these questions are cleared up. That forms an additional reason why we have a right to know who are to be the future Ministers appointed during the recess. The Government themselves have told us that they intend to make a change, and having made that announcement, they should have taken us into their confidence altogether, and completed their declaration. Therefore I rest my claim to the justice of this resolution upon two facts. Firstly, our financial position is such that we ought not to authorize the large powers contemplated by the resolutions proposed by the honorable member for Nelson City, Mr. Sharp, and the large funds being voted by this House in the form of supplies for the public service of the country—we ought not, I say, to trust such powers and such funds in the hands of persons with whom we are utterly unacquainted. What knowledge have we that the new Ministry will even be members of this House? As was done in the case of the Minister of Justice, a Magistrate may be taken from some bench in the colony and at once made a Minister. As was done in the case of the Colonial Secretary, some public servant may be taken from his office, and at once made a Minister, representing no one in the country, having no claim upon any constituency, no claim upon public confidence, and unknown to this House, which would not even have power to impeach him or to punish him; because the loss of his Ministerial office simply secures him a retirement on an ample pension. I say we ought not, with such a chance threatening us, to trust the powers we are asked to give to the Ministry until we are told who they are to be. And then, again, I say in the second place that, in the interest of the Native race and of the European race also, we ought not to trust the funds to be raised for the Native Department and the enormous powers over the Native race, given through the Native Lands Court, and by the power of appointing Native and European Magistrates in various districts, Commissioners of various kinds to witness papers, and by the power of appointing interpreters—I say we should not give an influence of that kind over a race entitled

to our protection, and we should not give power of that kind in the interest of the European race to some unknown person, to be selected after this House is got rid of. Why not tell at once who the new Ministry are to be? Why should not the Government at once—as I trust they will do—acquiesce in this resolution, which I now propose, as an addition to the first resolution moved by the honorable member for Nelson City?

Major ATKINSON.—I have no desire to take up the time of the House, or to prolong this discussion. The House, no doubt, is weary of it, and desires to proceed with the business of the country: my remarks will, therefore, be brief. My only object in rising is to say that the Government intend to support the motion as originally brought down by the honorable member for Nelson. I need hardly say that they disagree entirely with the amendment proposed by the honorable member for the Thames. The House has already been made aware of the direction in which the Ministry will advise His Excellency during the recess; but of course neither the Government nor the House can be absolutely certain as to the changes that will take place, because His Excellency may see fit to call to his counsels some gentleman other than myself. That, however, is a matter which rests entirely with His Excellency. As to who are to be my colleagues, the House has already been informed that certain members of the Ministry have expressed a desire to retire from the Government; and, should I be in a position to name their successors before the end of the session, I will certainly do so. But no gentleman who might join me would have the confidence of the honorable member for the Thames. If I were to say that the honorable member for Clive had consented to take the place of the honorable member for Christchurch (Mr. Richardson), I do not think the honorable member for the Thames would have any greater confidence in my Government. However, I shall, if I am able, inform the House what changes are likely to be made; and, if I cannot, I shall have to ask the House to extend that confidence which it has already reposed in me, and I am perfectly satisfied that it will do so. If not, it will be the duty of the House to signify its desire, and I shall obey it.

Mr. HODGKINSON.—Before we agree to the resolution of the honorable member for Nelson City, I should like to have more information than I am at present possessed of as to the ability and the readiness of Ministers to carry out its objects. As to their ability, after what has taken place during the past twelve months, I am not strongly impressed with it. I cannot have forgotten that the present Premier, with his usual impetuosity, on one occasion last session threw a statement at the head of the leader of the Opposition, to the effect that the enormous saving of £370,000 was to be effected by the constitutional changes. The colony was to be that much better off. Now, however, that amount has altogether disappeared, and, this session, we are told that there is barely enough money to carry on the public service. As the honorable member for Clutha said, the figures of the Government go through so many forms

that they become a perfect puzzle. They assume all the changing aspects of the kaleidoscope. So that I do not think the House can be satisfied as to their ability. Then as to their willingness. We have no evidence of that. On the contrary, their actions point in the opposite direction. We have seen them appoint a gentleman to the office of Agent-General in the face of a strong feeling in the contrary direction. That did not inspire me with much confidence in their willingness. There is one thing that would inspire me with confidence in their willingness, and that is, that they should bring down a self-denying Act to reduce their own salaries to the extent of 25 per cent. That would be conclusive proof of their desire to retrench; but, so far as I am aware, nothing of this sort is contemplated. For these reasons, stated very briefly, I shall oppose the motion.

Mr. Montgomery's amendment put and negatived.

Question put, "That the words proposed to be added by the honorable member for the Thames be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	34
					—
Majority against	...	...	...	...	17

AYES.

Mr. J. C. Brown,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Montgomery,
Mr. Murray,
Mr. Nahe,

Mr. O'Rorke,
Mr. Swanson,
Mr. Takamoana,
Mr. Thomson,
Mr. Wakefield,
Mr. W. Wood.
Tellers.
Mr. Lusk,
Mr. Rees.

NOES.

Major Atkinson,
Mr. Baigent,
Mr. Ballance,
Mr. Barff,
Mr. Bowen,
Mr. Bryce,
Mr. Curtis,
Mr. Fitaroy,
Mr. Gibbs,
Mr. Harper,
Mr. Henry,
Mr. Hursthouse,
Mr. Kennedy,
Captain Kenny,
Mr. Lumden,
Mr. Manders,
Mr. G. McLean,
Captain Morris,

Mr. Murray-Aynaley,
Mr. Ormond,
Mr. Pearce,
Mr. Reynolds,
Mr. Richardson,
Mr. Richmond,
Mr. Rowe,
Mr. Seymour,
Mr. Stevens,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Kelly,
Mr. Pyke.

PATRS.

For.

Mr. Hodgkinson,
Mr. Joyce,
Mr. Macandrew,
Mr. Seaton,
Mr. Sheehan,
Mr. Stout,
Mr. Tole,
Mr. B. G. Wood.

Against.

Mr. Tribe,
Mr. Carrington,
Mr. Cox,
Mr. Sharp,
Mr. Bunny,
Mr. J. E. Brown,
Mr. Hunter,
Captain Russell.

The amendment was consequently negatived, and the resolution agreed to.

Question put, "That the second resolution of the honorable member for Nelson City (Mr. Sharp) be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	19
Majority for	...	...	...	...	11

AYES.

Major Atkinson,
Mr. Baigent,
Mr. Ballance,
Mr. Barff,
Mr. Bowen,
Mr. Bryce,
Mr. Curtis,
Mr. Fitzroy,
Mr. Gibbe,
Mr. Harper,
Mr. Henry,
Mr. Hursthouse,
Mr. Kennedy,
Captain Kenny,
Mr. Lumsden,
Mr. Manders,

Mr. G. McLean,
Captain Morris,
Mr. Ormond,
Mr. Pearce,
Mr. Reynolds,
Mr. Richardson,
Mr. Richmond,
Mr. Seymour,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Wakefield,
Mr. Whitaker.

Tellers.

Mr. Kelly,
Mr. Pyke.

NOES.

Mr. J. C. Brown,
Mr. Burns,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Joyce,
Mr. Lusk,
Mr. Nahe,
Mr. O'Rorke,

Mr. Rees,
Mr. Swanson,
Mr. Takamoana,
Mr. Thomson,
Mr. Wason,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Montgomery,
Mr. Murray.

PAIRS.

For.

Mr. J. E. Brown,
Mr. Bunney,
Mr. Carrington,
Mr. Cox,
Mr. Hunter,
Captain Russell,
Mr. Sharp,
Mr. Tribe.

Against.

Mr. Stout,
Mr. Sheehan,
Mr. Joyce,
Mr. Macandrew,
Mr. Tole,
Mr. R. G. Wood,
Mr. Seaton,
Mr. Hodgkinson.

The resolution was consequently agreed to.

Major ATKINSON.—I move, That this House will immediately resolve itself into a Committee of Supply.

Mr. DE LAUTOUR.—I wish to take this opportunity of a full attendance of honorable members to call the attention of the Chairman of the Reporting Debates Committee and the House to an arrangement which is not satisfactory if it is the practice, and, if it is not the practice and is but an isolated case, where the debates of this House appear to be very much misrepresented. I am alluding to what appears in the last number of *Hansard*, No. 30. At page 3 in that number, it will be seen that the Education Boards Bill is brought under consideration. This is what appears:—

"The House went into Committee on this Bill. Clause 5.—Who to be members of Board."

Then it goes on to say that—

"Mr. J. E. BROWN proposed, That the name of Thomas Williamson Hall, Esq., be added to the 5th subsection of the clause."

The House will be well aware that that was not the proceeding as it took place in Committee. The proceeding in Committee was that the honorable member for Timaru moved that two gentlemen be added as members of the Board. Then the Chairman of Committees ruled that the names should be put separately, and that they could not be put separately unless upon a distinct motion. The honorable member for Tuapeka moved that the name of Mr. Belfield be not agreed to, and this motion was put to the House and carried on the voices. According to the report it appears that the motion was a substantive motion instead of an amendment. A great injustice is done to the honorable member for Timaru and others who voted against Mr. Hall's name being added, although they were anxious that he should be on the Board; they only voted against him because the House had previously negatived another name. I wish to draw the attention of the Chairman of the Reporting Debates Committee to this practice, for apparently it is a practice. I do not like to assume that the report is other than according to the regular way of reporting; but, obviously, if this practice is adhered to, great misrepresentation may be made to appear in the pages of *Hansard*. I therefore draw the attention of the Chairman of the Reporting Debates Committee to this matter, and I hope that in the interest of the true record of the debates of this House, he will consider the question as to whether it could not be remedied.

Mr. BALLANCE.—Do I understand the honorable gentleman to say that the report has been corrected by some of the speakers, or that the reporting staff have erred in reporting the proceedings incorrectly?

Mr. DE LAUTOUR.—I do not say that anybody has tampered with the report; I assume that it is the ordinary practice of reporting proceedings in Committee. If so, it is a practice which leads to evident misrepresentation.

Mr. BALLANCE.—I beg to call the attention of the House to an arrangement come to at the last meeting of the Reporting Debates Committee in reference to *Hansard*. It was then decided that all questions of privilege relating to the reporting the proceedings of this House should in the first place be referred to you, Sir. I thought that a very proper arrangement. If you think proper to take any action, you can refer to the Committee or to the Chairman for advice on the subject. This is the first opportunity I have had of mentioning this matter. I think it right to explain to the House that it was clearly laid down that all matters should be in the first place referred to yourself, and further action taken, if necessary. I am not prepared to say whether this report is correct or not, but the first thing that should be done in the matter is to communicate with the Chief Reporter. It is quite possible

that an error might have been committed; but I take leave to say, and I am sure honorable members will agree with me in this, that the reports in *Hansard* are on the whole remarkably correct, and that there has been very little reason for complaint. It is an extraordinary circumstance that the report of this particular debate should be incorrect. I am quite aware that in several instances honorable members have taken the liberty of completely altering the character or meaning of their speeches in *Hansard*. I do not know that the reporting staff are responsible for this, but it has been the practice, and it has become far too frequent. I draw the attention of the House to it, that the matter may be fairly considered and some action taken in regard to it, because it is utterly impossible that these reports can be a fair record of what takes place in this House if honorable members are allowed to alter their speeches as they think proper when proofs are submitted to them. A case occurred the other day. The honorable member for the Thames, on the question of the Imprest Supply, stated that he hoped the finance of this country would fall into such a state that the Imperial Government would appoint a Commission for the purpose of investigating it. The honorable member for Avon made allusion to the statement, and I think severely criticised it. There is no reference to it in the published speech of the honorable member for the Thames, but there is a reference to it in the speech of the honorable member for Avon. It appears exceedingly absurd that the honorable member should make distinct reference to the matter, and that the honorable member's speech to which the reference was made contains nothing about it. I say that this sort of thing stultifies the *Hansard* reports. This statement was either struck out of the proof, or omitted in the report of the speech.

Sir G. GREY.—I think I did not strike it out of the proof; I have no recollection of having done so. My desire would be that it should be left in. I will look at the proofs, as I cannot imagine how such a thing could take place.

Mr. BARFF.—In dealing with the matter now before the House, I trust honorable members will not be led astray in regard to the special case which occurred in connection with the speech of the honorable member for the Thames. It is simply a fact, as has been said by the honorable member for Wanganui, the Chairman of the Reporting Debates Committee, that as a rule the reports of the debates are strictly correct, and I may say that the *Hansard* is strictly correct; but I trust that no action will be allowed to take place on the part of private members that will prevent *Hansard* from being a reliable record of our proceedings. I say that the last two numbers of *Hansard* have been privately tampered with by some person or persons in a most disgraceful manner: I say so most unmistakably. This has been done not only on the occasion to which the honorable member for Mount Ida has referred in connection with a portion of the debate being struck out in regard to Mr. Belfield's name. That is not the only case. Let any honorable

member turn to No. 29 of *Hansard*, in which a question of privilege is reported, and let him compare the report in *Hansard* with the very accurate, although necessarily condensed report which appeared in the *New Zealand Times* of that question of privilege, and he will see whether some honorable gentlemen's names and their speeches have not been struck out of the report of that debate altogether. As a case in point, I may refer to the honorable member for Selwyn, Mr. Fitzroy. That honorable gentleman informs me that he had no slip of his speech sent to him. I remember distinctly the remarks that honorable gentleman made in regard to the *Timaru Herald*. I remember he said something to the effect, as reported in the morning paper and the two evening papers—I believe, at all events in the *New Zealand Times*—that it was almost absurd to take any notice of what was said by the *Timaru Herald*, as the people who lived near it took no notice of it at all; that those who knew it best thought it rather a compliment than otherwise to be referred to in it in terms of disapprobation. We find nothing of that in *Hansard*. The honorable member for Selwyn informs me that a proof of his speech had not been sent to him. I have been informed by an honorable member, whose name I do not recollect, that in a proof which he had received, the name of the honorable member for Selwyn did appear; that his speech was there reported. I wish to know why that speech and a certain speech made by the honorable member for Wai-kato, the Postmaster-General, were excised? I have compared these things very carefully, and other honorable members have done the same. I say that the House will be laughed at if we are to have an inquiry into a question of privilege, or rather two questions of privilege, the one following the other, which culminates ultimately in an apology which I would rather have thrown myself over the edge of the wharf than have made, if it is found that the apology appears in a form which seems rather to glorify the hero of the occasion than otherwise. These are things that really require attention. And then, what do we find? When we refer to the last number of the *Timaru Herald*, we find that the honorable member who made that apology laughs at us—

Mr. SPEAKER.—The honorable member is now travelling beyond the question.

Mr. BARFF.—Sir, I am referring to a question of privilege in this interference with *Hansard*, which is supposed to contain a correct record of our proceedings, and I am trying to show that in the last two numbers these reports are not correct. I do not wish to travel beyond the question, and I trust that if I do, you, Sir, will check me. I was referring to the fact that, on reading the last number of the *Timaru Herald* in the library, I find a letter from "Our Own Correspondent" at Wellington, relating in a very condensed form—

Mr. SPEAKER.—I hope the honorable member will not now discuss a question of that kind.

Mr. BARFF.—I believe an honorable member speaking to a question of privilege is allowed a great deal of indulgence.

MR. SPEAKER.—No doubt, a certain amount of indulgence is allowed to an honorable member when speaking to a question of privilege; but his remarks should be confined to topics pertinent to the particular breach of privilege. I do not think it is at all in accordance with parliamentary usage that the honorable member should graft upon a question with respect to the reporting of the debates in *Hansard* remarks as to what may have appeared in the *Timaru Herald*.

MR. BARFF.—I was only endeavouring to save the time of the House, because the two things are so intimately connected that it must follow that, before many days, or perhaps hours, are over, we must raise this other question; and I was desirous of informing the House of the facts of the two cases as bearing one upon the other. That was the point of view in which I looked at it; and I think, in a question of privilege where two matters are bound up together, it would be better to take the two together rather than separately. If I am not at liberty to refer to this other question, I bow to your ruling, Sir. At the same time, I may say that a large number of members say that it is not their intention to let the matter drop. The whole is the outcome of certain publications in the *Timaru Herald* in connection with what took place on the particular occasion in the House. I now ask whether I shall be in order in referring to the first portion—that is, the outcome of the action of this House on the first question of privilege.

MR. SPEAKER.—I did not understand the honorable member for Mount Ida to raise this as a question of privilege.

MR. DE LAUTOUR.—I did not.

MR. SPEAKER.—I think, under the circumstances, the honorable member for Hokitika would do wisely not to introduce a question of privilege now. If there be a question of privilege, it would be better to raise it on some other occasion.

MR. BARFF.—The question will have to be raised as a question of privilege sooner or later; but as you, Sir, think it should not be raised now, I will not do so. I am not going to express an opinion as to whether the members of the Reporting Debates Committee are well acquainted with what reporting should be or not. I know the Chairman has had some experience, but of the other members I know nothing. I hope the Chairman of that Committee, at all events, and if there are any other persons on it who know anything at all about reporting, that they will take such action as to prevent the prostitution of *Hansard* to the basest purposes.

MR. PYKE.—If honorable members will listen for a moment to what I have to say, they will see that this debate is entirely unnecessary. There was no division whatever taken upon the question of whether Mr. Belfield should or should not be a member of the Education Board; and as the only reports of proceedings in Committee are those in which divisions take place, all mention of the particular matter referred to by the honorable member for Mount Ida was omitted from *Hansard*. There can therefore be no *laches* in that respect by the *Hansard* reporter, as he was

only following the usual course. I trust that will satisfy the honorable member for Mount Ida.

MR. WAKEFIELD.—I think there has been something like an imputation cast upon me of having altered a *Hansard* report.

MR. BARFF.—I have not thrown out that imputation at all. All I say is that the reports have been tampered with. I did not mention the honorable gentleman's name at all. It might have been some other member.

MR. WAKEFIELD.—I can only say I have never seen No. 29 of *Hansard* at all. The remarks I made with respect to the question of privilege were, I suppose, reported, but I have never seen them. I beg to say, Sir, that I never alter the *Hansard* reports, and never intend to alter the *Hansard* reports while I am in the House. If the honorable member will go with me to the library, I daresay he will find all my proof slips unopened in my pigeon-hole. I never see or alter them, and what I said on the occasion referred to will appear as reported by the *Hansard* reporter, without having been seen or altered by me in any possible respect.

MR. FITZROY.—Having been specially referred to by the honorable member for Hokitika, I think it is right to say that, through some cause or another, I never received a copy of the report of my speech on the occasion referred to. I believe it was accidentally omitted, and consequently not sent to me.

The House then went into Committee of Supply.

CLASS I.

Executive Departments, £23,688 7s. 6d.

MR. REES called attention to the item "Under Secretary (also Clerk of Writs, *&c.*), £800," and wished to know why there was an increase of £100 in the salary of this officer.

Major ATKINSON explained that there was no increase in the salary. This officer had previously drawn £700 a year as Under Secretary, and £100 as Secretary to the Cabinet. It had been found necessary, however, to relieve him of the duties of Secretary to the Cabinet, and another gentleman was appointed to that office at a salary of £50, he holding at the same time the offices of Confidential Clerk to the Treasury and Secretary to the Premier.

MR. REES said that, under the circumstances, there was an increase of £50 at all events, and he objected to that. At the very time when the House was supposed to be making reductions, the Government were making increases.

MR. LUSK wished to know why other Under Secretaries received £600 a year, and this officer £800.

Major ATKINSON said this particular officer was the Under Secretary for the Colony, and had greater responsibility.

MR. MURRAY moved that the item, Registrar-General £550, be reduced to £500, the sum paid last year. There was no necessity for increase, particularly as the census was not to be taken so frequently as hitherto.

MR. REES observed that there were several increases under this vote. The first clerk in the Accountant's Office, the chief clerk in the Record

Office, the chief clerk in the Receiver-General's Office, were each to get £25 more, and in fact there was a general increase of salaries. They had just placed a resolution in the hands of the Government declaring that the estimates should be recast for the purpose of effecting reductions, and ten minutes afterwards they were presented with proposals which went exactly in the reverse direction. He supposed the gentlemen who voted for the resolution would also vote for these increases.

Major ATKINSON hoped they would, because the officers alluded to were thoroughly efficient, and were paid less than they would get in any merchant's office.

Mr. SWANSON was rather inclined to doubt that. If these officers could get more in merchants' offices, they would probably be found there.

Mr. REES neither knew the officers nor their duties, but he knew that the finances of the country were in such a condition that it would be difficult to find money to carry on the Government. He hoped members who voted for the resolution of the honorable member for Nelson City would not make a sham of it.

Mr. BARFF was one of those who believed that true economy consisted in employing efficient officers and paying them a fair salary. If that course were adopted, they would get a superior class of men, who would be attracted to the Civil Service. It was not wise to strike £10 or £20 off the salaries of individual officers. The real question was, were there not a great many more Civil servants than there was any necessity for? They heard much about the expense of an official in an outlying district; but the fact was that officials in outlying districts were generally well looked after, and did their work well. If they did not, they were soon found out. It was in Wellington, where there was a whole host of officials, that the inefficiency of incapable officers escaped detection. His chief objection was directed to the army of officials to be found in Wellington, some of whom might easily be dispensed with. As to the Registrar-General, he would point out that there was one way in which the statistics might be rendered much more valuable and interesting, and that was by showing what amount of work was done by the Civil servants, instead of telling them how many hens and ducks there were on a man's property.

Mr. LUSE pointed out that these estimates really proposed an increase of £4,181 in this one department, in spite of all their talk about reductions and retrenchment. He desired to know whether this was caused by the abolition of the provinces and the taking over of officers, or by an increase of the salaries of those officers who had been in the department for a series of years. In the latter case, he should strongly oppose the increase.

Mr. FITZROY asked the Premier to explain the item for extra clerical assistance.

Major ATKINSON said extra clerical assistance would be required during the year, in consequence of the changes about to take place. An additional number of clerks would be necessary to carry on the proper administration of the departments.

Sir G. GREY said that if the House considered its position, it would decide that no increases should be made. He believed that a complete reform of the departments was about to take place, and no increases should now be made. Next year Ministers would come down with their recommendations complete, and the House would see that the officers and the service were well paid.

Mr. MONTGOMERY thought the Ministry were the best judges as to the number of persons to be employed. He would ask the Premier whether he thought a reduction could be made in the expenditure of these departments during the recess, because the estimates showed an increase of 20 per cent.

Mr. REYNOLDS thought it should be left to the Government to decide what reductions were to be made. These duties required to be performed by competent men, who must be paid fairly. To keep good men, they must pay good salaries. A good deal of the work done by extra clerks was in preparing returns asked for by members of the House, many of which returns were unnecessary. He would repeat a remark he had made previously, that he did not think many members were in earnest about retrenchment. For instance, the honorable member for the Thames had on the previous evening moved that a salary should be increased.

Sir G. GREY said the resolution by which the House had decided that a reduction should be made by the Government during the recess was only carried that evening. The matter had now entered upon a new phase, and that was why he objected to increases being made.

Mr. REES thought the honorable member for Port Chalmers was not in earnest as to retrenchment, for he seemed willing to agree to increases up to £100 being added to salaries. As to the Committee not deciding upon the items, he understood the Committee of Supply was appointed to vote supplies, and that supplies were not voted beyond the money the colony had to pay away. By the estimates, honorable members would see there were increases of £50, £100, and £200 a year. As representing a constituency which never asked anything from the House, which had to pay heavy taxation and got nothing back in exchange for it but the performance of the mere ordinary functions of the Government, he had a right to see that no increased burdens were placed upon that constituency to pay increased salaries, when the House had ordered that a decrease should be made in the cost of the public service. Instead of a reduction the Government had made an increase of £4,000 in one item and £10,000 in another, making an increase in the class of £14,000. If the increases were voted, with what grace could the Government set to work during the recess to cut down the salaries again?

Mr. BRANDON thought this was the usual sessional discussion upon the estimates. Honorable members always said there should be economy, and the departments should be inquired into; but it was always left to the Government, and they came back next year with matters in the

same condition. He saw no means of altering that state of things, unless the House appointed a Commission to inquire, during the recess, into the working of the various departments, and report to the House next session.

Major ATKINSON said there could not be any great reduction in this class; but there were several items in it which he thought could be reduced.

Mr. MONTGOMERY would like to know whether the Government would agree to a reduction being made in this class now. He was averse to granting increases; for it would be difficult for Ministers to make decreases afterwards.

Mr. ROLLESTON was of opinion that the only way in which Parliament could get control over these departments would be by Act. The Civil Service Act of 1866 was not found to be very workable, especially in the organization of a large department like that of Public Works. If they had an Act, he would be perfectly satisfied to leave it to the Government to decide what reductions could be made in accordance with the Act or regulations under it. It did seem a very sad thing that the time of forty or fifty persons should be taken up in discussing whether £25 should be taken off the salaries of public officers. This matter should be dealt with not by a Commission, but by the Government. It was not in the administrative departments that they could expect retrenchment. They should begin retrenchment by striking off the luxuries in which they indulged, by doing away with subsidies to steamers running up and down the coasts, and expense of that nature. It was beneath the dignity of the House to interfere with small departmental details. They would lose tenfold on every reduction they made on the salaries of officers, and would create discontent in the public service. Although the Civil Service was not in the condition it might be in, no beneficial effects would result from reducing the salaries of deserting officers by £10 or £20—men who were struggling to maintain themselves and their families in a position of respectability.

Mr. W. WOOD concurred in the opinion that there were a great many costly luxuries that might very well be dispensed with—amongst others, the Native and Defence Departments. He thought the Civil Service might be considerably reduced. If fewer men were required to do the work, they could do it; but they would naturally expect extra salary for the extra duties they were called upon to perform, and that would be the time to consider any increase. There were many ways in which the present large expenditure on the public service could be curtailed to a very considerable extent, and the indications of a falling revenue rendered it absolutely necessary that they should seriously consider the desirability of retrenchment without further delay.

Mr. REES did not propose to reduce the salary of any officers. If the Government were obliged to keep up an enormous Civil Service, let them tax the country to meet the expenditure, and let it not be met out of borrowed money.

Mr. SWANSON moved, That the item "Under Secretary (also Clerk of Writs, *nil*), £800," be reduced by £100.

Mr. LUSK said it would be inconvenient to reduce item by item. If they attempted to do so, the result would be that no reductions would be made. He thought it would be better if the honorable member for Newton would propose a reduction of the total sum. He had taken considerable trouble to find out what increases had been made in the different departments, and he found they were as follow:—In the Colonial Secretary's, £1,047; in the Treasury, £1,150; in the Audit Office, £725; and in connection with the Registrars of Marriages, Births, &c., &c., £840; and in other Executive Departments, £369: making a total of £4,181. If the honorable member for Newton would withdraw his motion, he would move that the total be reduced by a sum of £2,000. That could easily be done, because he had taken out what appeared to be increases on account of provincial work, which did not amount to half the total increase. The honorable member for Port Chalmers said that the extra clerical assistance was required chiefly to supply returns called for by the House.

Major ATKINSON.—No.

Mr. LUSK accepted the assurance of the Premier that it was not so, and the estimates showed it; because the chief amount for extra clerical assistance was in the Treasury, from which very few returns had been furnished.

Mr. SWANSON would withdraw his amendment with pleasure in favour of that of the honorable member for Franklin.

Major ATKINSON would like the Committee to understand distinctly that a very large amount of work would be thrown on the departments by the changes that were coming into operation. The whole arrangement of the elections for the counties, and all the correspondence with the Road Boards, would have to be conducted by these departments. If the Committee made a large reduction in these estimates, he would point out that there would very likely be no saving at all, because the work must be done, and, if necessary, the expenditure must be charged as unauthorized.

Mr. REES thought that, under those circumstances, it would be of no use making a reduction. As the Premier said that the work would be paid for out of the unauthorized expenditure, it was clear that, whatever vote the Committee came to, the money would be spent.

Mr. SWANSON did not think that was likely to occur. There were persons watching these votes just as sharply as the Premier or the Committee, and, if those who were expecting to get this money found that the Government could say to them that they had not got it, they would be quite ready to do the work for the salaries they now got. The whole of the time of these men was at the disposal of the Government, and he knew that a great many of them did very little. No doubt some of them were overworked; but there were a great many who, even during the session, went about doing almost nothing at all.

Mr. LUSK had had experience of pressure

being brought upon him in the smaller affair of the Provincial Council, and he had found it very wholesome and very advantageous to himself to be able to say that no money had been voted. He could then, with good grace, refuse many things that otherwise he might not have refused. His knowledge that the Council had refused so much money made it a matter of very great anxiety to him to keep the expenditure within the income, and he hoped that the vote by the Committee on this occasion would have the same effect upon the Government.

Mr. Murray's amendment, by leave, withdrawn.

Mr. GIBBS noticed that, under the head of "Extra clerical assistance," the sum proposed to be voted was £1,085, and there were other amounts for provincial services to something like £800. That would make very nearly the £2,000 which the honorable member for Franklin desired to reduce the vote by. He would point out that the extra clerical assistance would no doubt not be employed if not absolutely required, but the rest must be voted.

Mr. MONTGOMERY did not see how the work could be done for anything less than was put down here, and the effect of reducing it would be to put the expenditure on the unauthorized expenditure. The whole increase upon the salaries was about £500, and the Committee might vote to reduce that; but he could not vote for a reduction of £2,000 in the face of the statement that it would be put upon the unauthorized expenditure, if necessary.

Mr. MURRAY-AYNSLEY thought it would be a pity to force the Government into a vote that they must disregard. If the proposed reduction were £500, he would vote for it, because it would show that the Committee wanted retrenchment, but he could not vote for a reduction of £2,000.

Mr. BRANDON said that, if the vote were reduced by £500, and Ministers then found that they could not carry on the work at a less amount, they would fall back upon the unauthorized expenditure. The real question was this: "There are so many clerks in the different departments; can you reduce the number of the establishment or not?" It should not be a question of reducing salaries. Men must be paid for their work, and of course, the longer they remained in the department, the more salary were they entitled to. If the Government could not carry on with the proposed reductions, and had to fall back upon the unauthorized expenditure, it would be perfectly absurd to reduce the vote. The House could not now do otherwise than refer the matter to the Ministry to see what retrenchment they could carry out. If next year they said they could not make a reduction, and the House was not satisfied with that statement, then the House must, as before suggested, appoint a Commission to inquire into the whole matter.

Mr. BURNS thought it was generally a mistake for the House to meddle with salaries at all. If they could manage to get rid of some officers, that would be the proper course. He noticed that some of these salaries were added to, while

others were reduced, and he would like to know from the Premier why that was the case. There was, for instance, a new appointment in the Colonial Secretary's office, of an Assistant Under Secretary, who received £450 a year, while the Chief Clerk, who last year received £350, was put down this year at only £250.

Major ATKINSON explained that the officer who was to receive £450 this year, received £350 last year, when he was Chief Clerk. Through the unfortunate illness of the Under Secretary, this officer had performed the duties of Under Secretary during a great part of the year, and performed them in a very efficient manner. No appointment had yet been made of Clerk under him. It might be necessary to make this appointment when the provinces were taken over; and, if it were so, the appointment would be given to some provincial officer.

Mr. ROLLESTON hoped, when vacancies occurred, that the first opportunity of filling them would be given to deserving provincial officers.

Major ATKINSON.—Yes.

Question put, "That the vote be reduced by £2,000;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	80
Majority against	...	...	...	...	14

AYES.

Mr. Baigent,	Mr. Murray,
Mr. Barff,	Mr. Swanson,
Mr. J. O. Brown,	Mr. Thomson,
Mr. Burns,	Mr. Tole,
Mr. De Lantour,	Mr. W. Wood.
Sir G. Grey,	
Mr. Hamlin,	<i>Tellers.</i>
Mr. Henry,	Mr. Rees,
Mr. Kennedy,	Mr. Lusk.

NOES.

Major Atkinson,	Mr. Pyke,
Mr. Ballance,	Mr. Reynolds,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Richmond,
Mr. Bryce,	Mr. Rolleston,
Mr. Curtis,	Mr. Rowe,
Mr. Fisher,	Mr. Seymour,
Mr. Harper,	Mr. Stevens,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Wason,
Mr. Kelly,	Mr. Whitaker,
Captain Kenny,	Mr. Woolcock.
Mr. Lumsden,	
Mr. G. McLean,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Montgomery,
Captain Morris,	Mr. Murray-Aynsley.

PAIES.

<i>For.</i>	<i>Against.</i>
Mr. Hodgkinson,	Mr. Tribe,
Mr. Joyce,	Mr. Carrington,
Mr. Sheehan,	Mr. Bunney,
Mr. Shrimski.	Mr. Pearce.

The amendment was consequently negatived.

Mr. MURRAY-AYNSLEY moved, That the vote be reduced by £500. He had no desire to see the clerks underpaid; but if the amendment were carried, it would be a lever in the hands of the Government, and would assist them to reduce the vote, which he believed they could do without any difficulty.

Major ATKINSON said he would not object to the amendment if there was a distinct understanding that the £500 should be taken off the whole vote, and not off any particular salary.

Mr. MURRAY-AYNSLEY desired that the £500 should come off the whole vote, as stated by the Premier.

Amendment agreed to.

Item as reduced, £23,888 7s. 6d., agreed to.

Stamp Department, £4,185, agreed to.

Printing Department, £12,423 10s.

Mr. MANDERS asked explanation as to the sum of £1,172 for the binding branch. He noticed that under another class there was a sum of £800 for binding and printing. As regarded the department generally, he did not think it was so well managed as it might be, but perhaps that was owing to the want of accommodation. He hoped the Government would give the matter consideration during the recess.

Major ATKINSON said that the £800 was for binding *Haward* and other books for the General Assembly, as well as for some printing.

Mr. BARFF noticed, with respect to the Printing Committee and the Reporting Debates Committee, that those gentlemen who had any experience in connection with those matters had been carefully excluded from those Committees except in one or two instances. On the Reporting Debates Committee there was only one gentleman, the honorable member for Rangitikei, who knew anything at all about reporting. Any one else who had any practical experience about it was excluded, and he believed the same applied to the Printing Committee.

Mr. REYNOLDS would inform the honorable member that the Printing Committee had nothing at all to do with practical printing. The duty of that Committee was to ascertain and advise Mr. Speaker what documents should be printed.

Mr. SHEEHAN pointed out that there was an increase in this vote, and would like to ask why it was necessary.

Major ATKINSON said the printing had very greatly increased, and that had, in part, been caused by honorable members having so much printing done.

Item, £12,423 10s., agreed to.

Store Department, £1,150.

Mr. HAMLIN asked for an explanation as the vote Inspecting Officer, £200.

Major ATKINSON said the officer had not yet been appointed. It was thought that one might have to be appointed to take over stores belonging to the provinces; but no appointment would be made unless it was necessary.

Item, £1,150, agreed to.

Geological and Meteorological Department, £3,835.

Mr. MURRAY would point out that in addition to this sum there was the salary of the Di-

rector of Geological Survey, £800, which made the total £4,135. He would not move for a reduction, but would point out to the Government that this was an item on which they might, he thought, make a reduction of 50 per cent.

Major ATKINSON would undertake that the matter should be looked into very carefully, to see if any reduction could be made.

Mr. BARFF thought the item should be struck out altogether, because the department was worse than useless. He was sure the country did not benefit in any way by the meteorological observations. It would be far better to hand over the Museum to the people of Wellington, and let them take charge of it as the people did in other parts of the colony. He did not believe the Museum was in as good a state as it was six years ago. As the general public received no benefit from the department it should not be kept up, and he would move that the whole of the item be struck out.

Mr. REYNOLDS said the proper course would be to vote the item this year, on the distinct understanding that it would not be voted again. The Government should take the matter into their consideration during the recess, so that they might place the Wellington Museum on the same footing as the other museums throughout the colony.

Major ATKINSON hoped that the Committee would not confound this vote with that for the Wellington Museum. The vote was for the geological survey of the colony, which was a matter of immense importance both to the mercantile community and for scientific purposes.

Mr. BARFF admitted that the department might be of great use to the colony if properly conducted; but it had not benefited the colony to the extent of a single sixpence.

Mr. SHRIMSKI would support the vote. He trusted the Government would see their way to handing the Museum over to the town of Wellington. This was done in other parts of the colony.

Sir G. GREY would not like to see this department done away with altogether. No doubt the honorable member for Hokitika felt somewhat disappointed at not being able to carry his motion for the establishment of a School of Mines. He (Sir G. Grey) would like to see a School of Mines established in the colony in connection with this department.

Mr. BARFF did not oppose this item in consequence of not being able to carry his motion for the establishment of a School of Mines. He had previous to that matter being dealt with indicated his intention to oppose this Geological Department, which served no useful purpose whatever. The opinions given by the officers of the department had been found to be erroneous, and had not been verified by absolute facts. He pointed out on one occasion, that there were indications of the existence of gold in the outskirts of Wellington. The head of the department said that it was impossible; but in less than twelve months afterwards gold was found in Baker's Hill. A School of Mines would be of far more advantage to the colony than having a

number of men who did not practically comprehend the science which they professed to understand.

Mr. HURSTHOUSE said the existence of the Geological Department was almost an absolute necessity, and would be of immense value to the country at large. There was a first-class analyst, who had already rendered good service to the country. The department would be of very considerable advantage in connection with agricultural as well as mining pursuits; and he would support the vote as it now stood.

Mr. SHEEHAN thought the opposition to this vote was of a somewhat unreasonable character. It was necessary that this department should be maintained. He thought the Government should strike out the item for the Museum. Wellington should support its own museum, as Auckland, Canterbury, and Otago supported their museums.

Mr. SWANSON would like to be informed of the benefits received from the money expended on the Geological Department. He knew that the progress of the Thames Gold Field had been retarded through the head of the department telling a number of gentlemen in Auckland to keep their money in their pockets, as there was no gold at the Thames. That foolish advice had the effect of preventing people with money assisting the miners and others to develop the resources of the Thames.

Mr. REYNOLDS said his remarks applied to the Museum. The honorable member for Newton asked what there was to show for the Geological Department. He could tell the honorable gentleman that the people of Otago had had experience of the gentleman at the head of the Geological Department, and had not received anything for an expenditure of some £16,000; nor had any benefit been received by Otago for his services since he had held a position in Wellington. At the same time, he did not argue that it was advisable to do away with the Geological Department; but he did say that the Museum should be handed over to Wellington, and be dealt with in the same way as the museums in other provinces.

Mr. SHEEHAN thought the test of the usefulness of the Geological Department was not whether it was correct in having stated that gold would be found in a certain place or not. He looked at the general results, and at the great knowledge of the geological features of the country which had been obtained through this department. The head of the department had visited his district, and the result was that a large amount of useful information with regard to the geological formation of that part of the country was obtained.

Mr. W. WOOD did not think the Committee should too readily arrive at the conclusion that this department was not conferring good on the country. He would not like to see the vote struck off the estimates; but when honorable members considered the many substantial advantages which Wellington received from being the seat of Government, it was fair for the House to consider whether the expenditure for this department should take place in Wellington, or

whether it would not be judicious to remove the whole establishment to a place where these officers would be in communication with other gentlemen who could greatly assist them in their work. It would be far more complete, and would cost much less, if removed to Dunedin, where the Professors of the University could consult with these gentlemen, and where a School of Mines might be established in connection with the department.

Item, £3,335, agreed to.

Electoral Department, £4,895.

Sir R. DOUGLAS wished to ask, with regard to the Returning Officer for Marsden, whether the Government would be willing to have him removed to a more central part of the district than that at which he now resided, which caused great inconvenience to the people.

Mr. BARFF wished to ask a question with regard to the Revising Officer for Nelson, Marlborough, Canterbury, and Westland, whose salary was £225. The Government would remember that at the commencement of the session he made a complaint to them in regard to the conduct of this gentleman at the Revising Court in Westland. He wished to know now whether the Government had taken any steps to correct the mistake then made, or whether any communication had taken place on the subject with the Judge who presided over the judicial district.

Major ATKINSON was not aware that the honorable gentleman had made any charge against this officer; but, if he would do so in the usual official course, it would be attended to.

Mr. SEYMOUR wished to call attention to the same item. In former days, the Revising Officer in Marlborough was a gentleman of the legal profession living in the province, and the business was conducted properly; but since the office had been held by a gentleman who performed these duties all round, it had been very different. On two occasions, the Court was not held on the appointed day. On the first occasion, it was not held till two days after, and consequently a great many persons were put to much inconvenience in attending on the day appointed, and finding that there was no Court. On the last occasion, in June or July, the Revising Officer arrived in Marlborough once more on a day later than that appointed, and held no Court at all. He wrote to him (Mr. Seymour), saying he had arrived, but that having to proceed immediately to Nelson, he could not hold a Court. Consequently a number of persons who put in their claims to vote were not placed on the roll. Would it not be better to revert to the old system? Persons could be found in the province who would perform the duty properly, and then the Courts would be held at the proper time.

Major ATKINSON said that the Judges appointed the Revising Officers, and not the Government. The Judge had been communicated with, and was endeavouring to make other arrangements, in order that what the honorable gentleman complained of might be remedied.

Mr. W. WOOD called attention to the item for the Returning Officer for the East Coast, who also received from the Native Department £350;

travelling expenses, £50; telegraphic, £25; and postal, £10. This gentleman had evidently many duties to perform, as it appeared on the estimates before them; but he had been in Wellington in the early part of the session, and he (Mr. Wood) was surprised to find in the evidence he gave before a Select Committee, that there were no white people in his district and very few Natives. This officer must therefore have comparatively little to do, and it was evident that if there was much to do he was not the man to do it. He was strengthened in this opinion by the fact that this gentleman remained in Wellington for six weeks or two months after he was wanted.

Mr. BOWEN pointed out that the honorable gentleman was not referring to the right officer. This was not the Returning Officer for the East Coast Maori District.

Captain MORRIS said that all the Committee had now to consider was £20 for this officer's duties as Returning and Registration Officer. All the other money he received belonged to other departments, and should not be considered at that time.

Mr. SHEEHAN was glad to see that no sum was put down for a Returning Officer for the District of Rodney. During the last elections this officer not only canvassed the district against him (Mr. Sheehan), but also appointed deputies in ten or twelve polling-places from known supporters of his opponent. He felt it a very hard matter to fight under these circumstances, but time had softened his feelings. However, all he wished to say was that the practice of appointing these petty Returning Officers in remote districts was not a good one.

Mr. BOWEN asked the honorable member to mention the name of the Returning Officer he had referred to.

Mr. SHEEHAN said the name of the gentleman was Murray. He was also Coroner for the district, and that might account for his desire to "sit" on him (Mr. Sheehan). Under the circumstances he had narrated, the officers necessarily became partisans; and the fact that a person had to fight the Returning Officer as well as his opponent was somewhat disheartening. There was one other point he wished to refer to, and it was this: At present the Revising Officers heard objections, but allowed no costs in cases where the objections were frivolous. A man might challenge a whole electoral district, and, although it might be proved that the objections were utterly groundless, not one penny of expenses was allowed. People were objected to; and when they got to the Revising Officer's office, they were laughed at by the objectors. This was a state of things which should be remedied.

Mr. BARFF said the case he had mentioned was infinitely worse, because the Revising Officer ruled that the objector need not even be present.

Mr. LUMSDEN said there were several Revising Officers on the estimates, for whom no salary was provided. He supposed, however, that the necessary items would be found elsewhere. What he wished more particularly to call attention to was, that there were circum-

stances connected with the last election for Wallace which were very improper. He chanced to be a voter in that district, which was between forty and fifty miles from Invercargill; and when he went to record his vote, he found that the polling-booth was not opened until three-quarters of an hour after the hour specified by law. In England, that would have been sufficient to invalidate the election, and he mentioned the case in order that the Government might see that proper officers were appointed; the neglect in this case arising, he believed, from the fact that the Returning Officer was a deputy and not a paid officer. He had an objection to these unpaid irresponsible officers.

Major ATKINSON said there were many districts where the Resident Magistrates were appointed Returning Officers, without additional salary.

Captain KENNY, in furtherance of the remarks of the honorable member for Wairau, pointed out that no provision was made for the district of Pelorus, which was peculiarly situated. It would be very difficult for the settlers to attend the Revising Court either at Picton or Blenheim; and he trusted the Government would make the necessary provision.

Mr. W. WOOD mentioned the case of a Returning Officer on the East Coast, who displayed his partisan proclivities by giving a Maori £5 to obtain votes, with instructions to be given to his *confrères* as to how they were to act.

Sir R. DOUGLAS said there were two sides to the case cited by the honorable member for Rodney. If expenses were given against the objector where the objection was bad or frivolous, they ought to be given, on the other side, where the objection was good.

Mr. BOWEN reminded honorable members that the Revising Officer had power to give costs where the objection was frivolous.

Mr. REYNOLDS said there was no doubt an alteration in the law was required. The honorable member for Dunstan was objected to on one occasion, and was put to some trouble to prove his right to be on the roll, although there was no doubt as to his possession of the necessary qualification. There were a number of other cases in which an energetic Good Templar figured prominently as an objector: in fact, he had objected to any one who was known to drink a glass of beer, and put many people to a great deal of unnecessary trouble. He hoped the Postmaster-General would come down with an amendment of the law next session.

Mr. PYKE said he certainly was objected to, as stated by the honorable member for Port Chalmers, but he was not struck off. He was, however, dragged out of a sick-bed, and compelled to appear at the Revising Court to sustain his claim; and when he got there, the person who objected said he knew nothing about the matter—that he had been instructed by some one else to object to the name! The matter was treated with a laugh, almost a sneer; and when he applied to the Revising Officer for costs, he looked upon the application as a joke. But a great many citizens of Dunedin were actually struck off, not because

they were possessed of no qualification, but because they did not appear at the Revising Court to answer to these objections; and they did not appear, because the notice was insufficient. An advertisement was inserted in the newspaper, but a notice should be sent to each person objected to; and the objector, if he failed to make good his objection, ought to be compelled to pay fair costs.

Mr. GIBBS said the rolls became encumbered with a great many names that had no right to be there, and it was only right that facilities should be afforded for their removal. He thought the way in which the duties of the Revising Officer were performed required attention. In his district the Revising Officer advertised that he would attend on a certain day, but he failed to do so. The revision took place in Nelson, and was a formal thing altogether: in fact there was no revision at all. The names of those who were objected to were struck off because they would not travel so far to attend the Court.

Mr. SWANSON was of opinion that if costs were allowed, it should be seen that the objector gave security for their payment, otherwise a man who was not worth a farthing might be put forward to object, and it would be in his power to cause people to travel a long distance to prevent their names being struck off. Security ought to be given for payment of costs should the objection not be sustained. The whole matter of making objections really wanted carefully looking into. His own impression was, that it would be better to burn all the electoral rolls and begin anew upon another basis.

Sir G. GREY thought the remarks used by some honorable members were very strong arguments in favour of manhood suffrage; and he would claim the support of certain honorable members in favour of the Manhood Suffrage Bill he was about to bring forward.

Mr. REES believed that the whole system of registration in the colony ought to have attention paid to it. He thought there was not a single district in which there was not a great amount of dissatisfaction, because some few persons were left on the roll who ought not to be there, and some were struck off who were entitled to a vote. The consequence was that at every election dummies voted to a greater or less extent. Perhaps the granting of manhood suffrage would stop this to some extent; but if the Bill of the honorable member should not be carried, the Government ought to pay some attention to this subject, which struck at the very existence of the House. In cases where the votes polled by candidates were nearly equal, the gentleman who came to the House might not be the representative of the *bona fide* return of the district.

Item, £4,895, agreed to.

Crown Lands Department, £7,172 5s.

Mr. MONTGOMERY wished information as to the first item, which showed an increase of £100, and the amount for contingencies was raised from £200 to £1,200.

Major ATKINSON said the salary in the first item had not been increased. Until this year, £400 had been charged upon loan, but now the

amount was divided, and half was placed on these estimates. The sum for contingencies had been increased to £1,200, because the department would now be reorganized, and he was not in a position to say what appointments would have to be made. Therefore it had been necessary to take the vote in the form proposed. The other sums included in the item were consequent upon taking over the provinces.

Item, £7,172 5s., agreed to.

Inspection of Machinery, £2,000.

Mr. FITZROY desired information as to the duties of the Chief Inspector. He had been informed that the boiler lately taken out of the steamer "Taranaki" was in a very dangerous state, and he would like to know why the inspecting officer had not attended to his duty.

Mr. RICHARDSON said the Chief Inspector this year received the same salary last year, but he drew £50 from the Native Department. This officer had to inspect steamers trading on the coast. The state of the boiler of the "Taranaki" had come under the notice of the Government, and they were making inquiries about it. He might say the department was rather more than self-supporting.

Item, £2,000, agreed to.

CLASS II.—LAW AND JUSTICE.

Department of Justice, £1,175, agreed to.

Crown Law Office, £2,160.

Sir G. GREY would like to know whether the Bills were drafted by legal gentlemen or not.

Major ATKINSON said that some Bills were drafted by legal gentlemen who were not Government officers. Bills had been drafted by one of the Commissioners of Audit.

Mr. REYNOLDS thought the office of Parliamentary Draftsman ought to be filled up. He objected to the Government giving out Bills to be drafted.

Sir G. GREY agreed with the honorable member for Port Chalmers. The drafting of some of the Bills introduced this session was of an extraordinary character. There was an understanding come to last year that the office of Parliamentary Draftsman should be filled up, and they were told that a Draftsman would be appointed in the colony.

Mr. BOWEN said the Government had endeavoured to obtain a Draftsman in the colony, but it was found impossible to get a competent person in the colony for the sum voted.

Mr. REES said the member of the legal profession would not be required to spend all his time in drafting Bills. A Parliamentary Draftsman would not be required, unless the laws were to be consolidated. A Commission would have to be appointed for the purpose, and the Draftsman would do the work under their instruction.

Sir G. GREY would like to know what effort had been made to secure a Parliamentary Draftsman in the colony. It was not a proper thing to employ Civil servants in work of this kind. It was not intended that they should be employed at such work. Their whole time should be given to the discharge of the duties of their office.

Major ATKINSON said it would have been a relief to the Government, if they had been able to find a suitable person for the position of Parliamentary Draftsman. The appointment was one of importance, and the Government felt that they could not be too cautious in the matter.

Mr. LUSK said the Government had not been fortunate in the selection of the person who had drafted some of the Bills submitted to the House this session, as they were, to say the least, rare specimens of drafting. It would be found that the Courts, six months after the passing of the Acts, would be called upon to decide as to the meaning of the words contained in those Acts. That arose from the system of not employing legal gentlemen to do legal work.

Item, £2,160, agreed to.

Supreme Court, £8,292 10s.

Mr. REYNOLDS drew attention to the item, under the head of Otago, of "Sheriff (also £150 from Native Office), £350." There was not the slightest necessity for a Native Office in Otago; and as the Sheriff had very little to do, he would suggest that he should supply the place of the additional Resident Magistrate that was required in Dunedin, and also attend to Native matters, without receiving any additional salary.

Mr. BOWEN promised to look into the matter, and see whether the proposed amalgamation of offices could be effected. He would endeavour to make that arrangement which would be most economical, and, at any rate, find work for the officer in question.

Mr. LUSK said there was an increase of about £900 in this section, which he observed was mainly in the first item, "Expenses of Circuit Courts and Court of Appeal, £1,600." Last year the amount set against this item was only £900.

Mr. BOWEN said the vote of last year had to be exceeded, and the amount now set down was calculated on what had been found to be necessary.

Mr. W. WOOD said that the sum allowed to the Sheriff and Resident Magistrate of Invercargill for travelling allowances—namely, £25—was absurdly low, considering the extent of travelling which had to be performed. This officer had to go to the Matura, to the Bluff, and also to Riverton and Winton constantly, and he hoped the Government would see their way to do him justice in this respect, as he had been a long time in the service.

Item, £8,282 10s., agreed to.

Sir G. GREY moved, That the Chairman report progress and ask leave sit again.

Motion put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	29

Majority against	...	...	...	18
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AYES.

Mr. De Lautour,	Mr. Shrimski,
Mr. Fisher,	Mr. Swanson,
Sir G. Grey,	Mr. W. Wood.
Mr. Henry,	Tellers.
Mr. Lusk,	Mr. Rees,
Mr. Moorhouse,	Mr. Toie.

NOES.

Mr. Andrew,	Mr. Montgomery,
Major Atkinson,	Captain Morris,
Mr. Barff,	Mr. Murray,
Mr. Bowen,	Mr. Murray-Aynsley,
Mr. Bryce,	Mr. Pyke,
Sir R. Douglas,	Mr. Reynolds,
Mr. Fitzroy,	Mr. Richardson,
Mr. Gibbs,	Mr. Rolleston,
Mr. Hamlin,	Mr. Stevens,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Whitaker,
Mr. Kelly,	Mr. Woolcock.
Mr. Kennedy,	Tellers.
Mr. Lumsden,	Mr. Hislop,
Mr. G. McLean,	Mr. Wason.

PAIRS.

For.

Mr. Sheehan.

Against.

Mr. Bunny.

The motion was consequently negatived.

District Courts, £5,720.

Mr. MONTGOMERY asked information as to the item of £600 for the travelling expenses of Judges. It was an increase.

Mr. BOWEN said the vote was really necessitated by the travelling expenses incurred by the Judges. A considerable portion of it was for the expenses of Judges travelling in the gold field districts of Otago and Westland.

Mr. LUSK drew attention to the sum of £150 for the District Judge, Nelson. That officer was also Resident Magistrate, and this appeared to be an increase.

Mr. BOWEN explained that, when the Judge of the Supreme Court was removed from Nelson, it was found desirable to appoint the Resident Magistrate, who was a professional man, to act as District Judge, and he was given a small increase in his salary for performing the extra duties.

Mr. REES said the arrangements for the sittings of the District Courts in the Province of Auckland were not at all satisfactory. At the Bay of Islands neither the Supreme Court nor the District Court sat, and many cases which were beyond the jurisdiction of the Resident Magistrate had to be taken to Auckland, a distance of 150 miles, causing great inconvenience, loss of time, and expense. In criminal cases, the expense of taking prisoners and witnesses to Auckland was very serious. If it was arranged that the District Court should sit there with extended criminal powers, it would be highly advantageous to the district, and would be a great saving, for the cost of conveying prisoners and witnesses would be ten times as great as the travelling expenses of the Judge. The same remarks would apply to Tauranga, which had been greatly neglected in this respect.

Mr. BOWEN thought the complaint of the honorable member was very reasonable. He was aware there was a difficulty in respect to the Bay of Islands and Tauranga, and he would endeavour to see how far it could be met by a Judge travelling to those places.

Sir G. GREY said if the consideration of that department had not been hurried upon them at that hour of the morning, he would have pointed out that he believed, by making an alteration in

the constitution of the Supreme Court, and adding to the number of its Judges, the District Judges might be done away with altogether, and a considerable saving might be made. The inconvenience in reference to the Bay of Islands, Tauranga, and other similarly-situated districts would by such an arrangement be got over, and justice be brought within the reach of every man. At that late hour, he would not enter upon the matter; but he was confident that very great improvements might be made.

Mr. HISLOP noticed that there was nothing on the estimates for the Clerk of the District Court at Oamaru. When the Clerk of the Resident Magistrate's Court was appointed to act as Clerk to the District Court, it was understood he would receive some additional remuneration. He thought the constitution of the District Courts might be altered so as to make them of much more service to the country. It had happened that in Invercargill the Supreme Court and the District Court had sat within a day of each other, and there was only one case in each. He also thought sufficient jurisdiction was not given to the District Courts; and it would be a great advantage to the public generally if they were given the option of bringing a case into the Supreme Court or the District Court within certain limits.

Mr. BOWEN said, with regard to the Clerk of the District Court at Oamaru, there was great justice in the claim made, and a small sum had been placed on the supplementary estimates for him. It was proposed to alter the districts of the District Courts in the South. Since the railway had been open to Timaru, he had been in communication with the Judge of the Supreme Court at Christchurch, who would probably be able to hold quarterly Courts at Timaru. If that were done, it would obviate the necessity of a District Court Judge residing there, and it would give the present District Court Judge more time to attend to the Courts further south.

Mr. SHRIMSKI would like to know why Oamaru, a town much larger and of a great deal more importance than Timaru, should not also have sittings of the Supreme Court held there, instead of having only a District Court.

Mr. BOWEN did not think there was any question of dignity in the matter. It was a question as to how the Courts could most conveniently and advantageously be held at those places.

Mr. SHEEHAN hoped the Government would endeavour to carry out the intentions of the Act of 1872 or 1873, to the effect that only members of the legal profession should be appointed to District Court Judgeships.

Mr. BOWEN explained that during the last two years all the Judges appointed to the District Court had been members of the legal profession.

Mr. SHEEHAN thought, if increased powers, both in civil and criminal cases were given, to the Judges of the District Court, it would be a great saving to the country. The amount saved in the matter of the travelling expenses of witnesses would be something enormous. Some three or four years ago a District Court Judge was ap-

pointed at Napier, and there was also a Resident Magistrate at the place. But it was understood that the District Court Judge should also do the duty of Resident Magistrate. However, a promise to that effect which had been given to the Committee had not been carried out, and for a time both officers remained. Ultimately, the Judge of the District Court, who had really nothing to do, was removed. The position of the matter at present was this: The gentleman who now held the office of Resident Magistrate intended to resign his appointment at the end of the present session, and the whole of the legal profession in Hawke's Bay were anxious that some competent person should be appointed to act both as Resident Magistrate and District Judge. If that course were adopted, it would be a great saving to the country, and would prove of very considerable convenience to the residents of Hawke's Bay.

Mr. BOWEN stated the Government hoped to be able ultimately to make such an arrangement, and inquiries had been instituted with a view to the course alluded to by the honorable member.

Mr. REES would point out to the Minister of Justice that the extended powers under the District Courts Act had not been extended to Judge Fenton in respect to Auckland, the Thames, or Waikato. He could only try cases in which the amount sought to be recovered did not exceed £100; and he could not try any criminal cases. The Minister of Justice would do well to consider this matter, because the profession had noticed it upon several occasions. The absence of the extended powers he referred to was greatly felt in the out-districts, such as Waikato and the Thames.

Mr. BOWEN said, if the extended powers had not been granted to Mr. Fenton, it was in consequence of an oversight. Mr. Fenton had not applied for any further powers, or they would have been granted; for he was certainly a Judge to whom any necessary powers would have been given if application had been made.

Mr. LUSK asked explanation with reference to the word "fees," set opposite the bailiffs in some districts, and he noticed that a sum of £150 was put at the bottom of the list for "Bailiffs' fees as above."

Mr. BOWEN said there had been an endeavour as much as possible to get rid of the system of paying bailiffs by fees. Most of them were now paid by salary; but it was found at present impossible, in some cases where there was not much work, to fix a salary which would be equivalent to the work done; and bailiffs, in these cases, were paid by the fees recoverable upon the processes they served. The £150 set down would, it was estimated, cover the whole of these fees. The fees had to be voted in a lump sum, because when received they were paid into the Treasury, and had to be repaid to the bailiffs.

Item, £5,720, agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at twenty-five minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 12th October, 1876.

Third Reading—Maps—Public Works Bill—Wellington Debts Bill—Attorney-General Bill—Dunedin Wharves and Quays Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

THIRD READING.

The Napier Hospital Bill.

MAPS.

The Hon. Mr. CHAMBERLIN desired to move, without notice, That the maps of the counties lying on the table of the Council be removed, because they were not correct.

The Hon. the SPEAKER said that the honorable member would require to give notice of his motion.

The Hon. Mr. ACLAND drew attention to the fact that there was another plan on the table which the Council had declined to receive.

The Hon. Mr. CHAMBERLIN said he wished to make this motion on that account. The maps he referred to were incorrect. The other day he was refused permission to place a map on the table, on the ground that it was incorrect.

The Hon. the SPEAKER ruled that the honorable gentleman should give notice of his motion.

PUBLIC WORKS BILL.

This Bill was further considered in Committee.

Clause 175.—Penalty for fouling a natural watercourse.

The Hon. Mr. ACLAND moved, That this clause be erased from the Bill.

Question put, "That the words proposed to be omitted stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	* 21
					—
Majority against...	...	...	...	...	16
					—

AYES.

Captain Baillie,
Mr. Hall,
Mr. Holmes,

Lieut.-Colonel Kenny,
Dr. Pollen.

NOES.

Mr. Acland,
Mr. Bonar,
Mr. Campbell,
Mr. Edwards,
Captain Fraser,
Dr. Grace,
Mr. Gray,
Mr. Hart,
Mr. G. R. Johnson,
Mr. J. Johnston,
Mr. Lehmann,

Mr. Menzies,
Mr. Nurse,
Mr. Paterson,
Mr. Pharazyn,
Mr. Rhodes,
Mr. Robinson,
Mr. Russell,
Mr. Stokes,
Mr. Waterhouse,
Colonel Whitmore.

The motion was consequently agreed to, and the clause struck out.

The Bill was reported with amendments, and the third reading fixed for next sitting day.

WELLINGTON DEBTS BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said that in the year 1871, the Provincial Government of Wellington found itself in financial straits; and in that year there was passed the Wellington Debts Act, which authorized the raising of a sum not exceeding £85,000, for the purpose of discharging certain liabilities of the Provincial Government which were specified in that Act. The bonds were made payable at a date not later than the 31st December, 1876—at the close of this year. The security which the province offered for the aid the colony afforded them in this matter, was a block of land in the Manawatu district, containing 229,000 acres. The Act of 1871 provided that in case the proceeds from the sale of this block of land were at any time insufficient to meet the payments for interest and principal on account of the loan, the deficiency, whatever it might be, should be made a charge against the Province of Wellington. At the close of the year 1871, an arrangement was entered into with a body known as the Colonist's Aid Society, for the purchase of a block of land in the Palmerston district containing 106,000 acres of land, at a price of 15s. per acre. The history of that transaction would be found recorded in the Appendix to the Journals of the House of Representatives for 1872, paper D. No. 11. Bills for the payment of the purchase money of that block were given by the Colonist's Aid Association, the terms of the maturity of these bills being respectively—for one-third of them, the 1st April, 1877; for another, the 1st April, 1879; and for the other third, the 1st April, 1882. The transaction being concluded, and the bills handed over to the Colonial Treasurer, the provincial authorities felt themselves absolved from further liability on account of "The Wellington Debts Act, 1871." Since that time, payments had been received on account of the proceeds of that block amounting to nearly £16,000, and these sums, as they were received, having been invested at interest, had accumulated, and now amounted to nearly £18,000. The currency of the debentures terminating at the close of this year, before the securities provided for the payment of them matured, it had been found necessary to make provision for a further borrowing, for the purpose of repaying the debentures when due, and in order to give time for the maturing of the securities and the obtaining of funds necessary for the complete discharge of the debt, about which, he was glad to learn, there was little doubt. It was proposed to apply the £17,000 which was now in hand to the discharge of debentures to that amount, and to borrow the difference between that sum and the £75,000 at present outstanding to meet the coming liability; and that was the authority which was proposed to be given by this Bill. The fact of a reduction in outstanding liabilities in this way was so new, and would, he was sure, be received with so much satisfaction by the

Council, that he thought no difficulty would be found in securing its assent to the arrangement which was proposed to be made. The currency of the securities which were proposed to be issued was fixed, and the 4th clause provided,—

"The bonds, debentures, or other securities issued under the authority of this Act, whether the same shall be an original issue or a re-issue or renewal, shall be made payable in the amounts and in the manner mentioned in the Schedule hereto."

Honorable gentlemen would observe that the first instalment of the bills was due on the 1st of April, 1877, and they would note that the time fixed for the payment of that first instalment had been extended by arrangement for another year, and instead of the year 1877 the year 1878 had been fixed for the first payment. The necessity for that had arisen from the plea of the Association that the opportunity of employing their people upon public works in the neighbourhood, which they expected to have had afforded to them, had not been given to them at a sufficiently early period as to place them in funds to meet their engagements as they had expected. The currency of the bonds which were proposed to be issued to the extent of £58,000, would terminate at the respective dates specified in the schedule. He hoped the Bill would be read a second time.

The Hon. Colonel WHITMORE said the honorable gentleman would perhaps be kind enough to inform the Council whether this money was to be raised in this country or in England.

* The Hon. Dr. POLLEN said the peculiarity of the arrangement would prevent its being done out of doors. It could be conveniently arranged by the investment of funds at the disposal of the Government; so that the whole transaction would be carried out in the colony.

Bill read a second time, considered in Committee, reported without amendment, and read a third time.

ATTORNEY-GENERAL BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said that between the time of the introduction of the system of responsible government into this colony and the year 1866, the Attorney-General was a political officer, a member of the Executive Council and of the responsible Government. During that period, inconvenience was from time to time felt, owing to the fact that, among elected or nominated members of the General Assembly, there were few gentlemen of the legal profession who were qualified to hold the office of Attorney-General. So that, as a matter of fact, the working of the constitutional system was greatly impeded by the circumstance that it was found difficult for parties on either side always to be sure that they could obtain a gentleman of sufficient standing and high qualifications willing to occupy the position of Attorney-General in Parliament. For that and for other reasons, in the year 1866 it was decided that the Attorney-General should cease to be a political officer, and to be a member of the Executive or of either House of the Legislature. From

that time until within the last few years, the office of Attorney-General had been filled by one gentleman who, at the end of that long period of service, was raised to the highest judicial position in the colony. The office of Attorney-General had not since been filled. There was an understood pledge given by the Government, in another place, that, before the office was again filled, the Assembly should have an opportunity of expressing its opinion whether or not the time had arrived when the office of Attorney-General might again be made a political office. This was the question which was embodied in the Bill of which he was now moving the second reading, and which had already passed in another place. It provided for the repeal of the Attorney-General Act. It proposed that the Governor might appoint an Attorney-General, and it also contemplated the possibility of his being or not being a political officer as circumstances might render desirable, and as, in point of fact, the will of the Assembly itself would practically determine. It provided, finally, that nothing in the Act should authorize the appointment of more than seven members of the Executive Council.

The Hon. Mr. WATERHOUSE said there were two distinct points of view from which it was desirable they should consider this Bill, and to both of these considerations he would venture to invite the attention of honorable members. The first consideration was as regarded the political influence attendant upon the change proposed in the Bill; and the second was the effect of the proposed change upon the judicature of the colony. The latter was the more important of the two considerations that weighed on his mind in the decision he had come to with regard to the Bill; but before noticing it, he would first refer to the other point. In considering the political influence of the proposed change, it was fortunate that they had not to fall back upon mere theory, but had the advantage of having proved in the past the working of both systems. For the last ten years the Law Officers of the Crown had not been political appointments in the ordinary signification of the term, and the consequence was, that when it had been necessary—and it had very frequently been necessary—to call for the opinion of the Law Officers of the Crown upon any particular point, they had with the greatest confidence received that opinion, and he did not know a single occasion on which such opinions had been called into question. It could not for a moment be doubted that, had those gentlemen been political officers, or had the Attorney-General for the time being occupied a ministerial position, the respect and confidence in which those opinions had been deservedly held would not have been entertained for them. It had been said that every lawyer who conducted his own case had a fool for his client. The same simile showed that it was impossible for any man, however clear his intellect, to be entirely uninfluenced in the consideration of a case in which he was immediately concerned—it was impossible for him to proceed to its consideration without more or less of bias; and if the Law Officers of the Crown held political offices, it would be im-

possible for them, in the consideration of the various matters to which their attention might be invited, not to labour under the influence of this bias. They could not but regard the various questions referred to them more or less under a political bias. Their opinions would not be so reliable as would otherwise be the case, and the opinions that they might from time to time give would not be received with the same amount of confidence. They had an illustration of this in what had only very recently taken place. There was no doubt whatever that the honorable gentleman who recently filled the office of Attorney-General was one of the shrewdest lawyers in the whole community; and yet there could be no doubt that his judgment became so far biased by the political position he held, that the opinions he gave were not such as they had reason to believe they would have been under other circumstances, and had he been altogether free from that bias. Certainly his brethren of the legal profession had almost unanimously arrived at a different conclusion to that which the Attorney-General did. Then, as regarded the past, it might fairly be assumed that it was desirable that those whose opinions were from time to time called for, as the Law Officers of the Crown, should not labour under the bias which must necessarily attend those holding political offices. At the same time, the experience of the past showed that where the office became political, the judgment became more or less biased, and it was impossible to rely upon the decisions given under such circumstances as would otherwise be the case. But his main objection to this Bill was based upon what would be its consequences upon the judicature of the land. It was recognized in England that the Attorney-General had a presumptive right to a vacant Judgeship or Chief Justiceship. In England there was, perhaps, very little objection to that rule. The Attorney-General of England must be a man of mark, not only as a politician, but in his profession; and though he might not possess all those qualities which most eminently fitted men for judicial positions, yet it was certain that he would possess to a very great extent the confidence of the profession to which he belonged, and that he would be, as a lawyer and as a man, above the ordinary run of his peers. He thought, however, that the system which prevailed in England could not with advantage be introduced into this colony. Nevertheless, whenever in the colonies the Attorney-General was a political officer, that system was introduced and was acknowledged. Only recently, there was a vacancy in the Chief Justiceship of South Australia; and upon this plea, that the Attorney-General had a prescriptive right to that position, the Attorney-General of the day was appointed by the Ministry. Within the last few days they must all have seen in the telegrams a notice that in Victoria public attention was being directed to this same subject, and that strong feeling was being elicited in favour of some change. In the strife of parties, it was not only possible, but a matter of extreme probability, that cases might arise where persons occupying the position of Attorney-General would be entirely unfit for the high and important

office of Judge or Chief Justice of this land. If persons of such a character were appointed to such a position in consequence of their political influence, they might depend upon this, that the character of our judicature would be lowered, and there would not be for the future the same confidence in its integrity, in its high character and impartiality, as there had been in the past, and as it was desirable should be maintained in the future. Before the Council did away with the existing law, it ought to provide for this case—it ought to provide how a Judgeship or the Chief Justiceship should be filled up in case of a vacancy arising. He hoped the Council would on these grounds postpone the second reading of the Bill for this session. Let them treat it as they treated the Forest Bill—a Bill which they considered faulty. He regarded this Bill as one of the utmost importance. From the mere point of view of the Attorney-Generalship, he attached no importance to it; but from the other very high considerations to which he had invited the attention of the Council in connection with its influence upon the judicature in the future, he did attach the very highest importance to it. Upon that ground, he hoped the further consideration of the Bill would be postponed for the present session. As an amendment to the motion of his honorable friend the Colonial Secretary, he begged to move, That the Bill be read a second time that day six months.

The Hon. Mr. MANTELL desired to ask the Hon. the Speaker's guidance in the matter of procedure. A report was brought up from the Petitions Committee that day, recommending that, on the order for the second reading of this Bill, a petition which had been referred to the Committee should be read to the Council; and on that ground the Petitions Committee made no report on the subject. He simply wished to remind the Hon. the Speaker of that report. Of course, it was for the Council to say whether or not the petition should be read.

The Hon. the SPEAKER thought that was the proper time for reading the petition.

The CLERK then read the petition.

The Hon. Colonel WHITMORE asked how the petition came into possession of the Council. He could hardly understand how the Council should have permitted a document of the kind, reflecting as it did upon the Legislature of the colony, to be received without some comment. He observed that in the early part of the petition reference was made to the immoral conduct of the Parliament, or terms to that effect were used, and the whole tone of the petition appeared to be exceedingly improper. He would have voted against its being received, had he heard it read at the time.

The Hon. the SPEAKER said the petition was presented in due course, was received by the Council, was remitted as a matter of course to the Petitions Committee; and when it had sent in its report, so far as that was concerned, the petition was in order.

The Hon. Major RICHMOND asked that the report of the Committee might be read.

The report was accordingly read.

The Hon. Colonel WHITMORE said they had had the advantage of hearing read the document which the Committee thought might assist them in their deliberations, and which had not assisted him at all, as he entirely dissented from all it contained. With regard to the Bill, he would support his honorable friend in his amendment, for the simple reason that, however convenient at the present time, or however much confidence they might repose in the gentleman who, in all probability, would be the first Attorney-General appointed under this Act, they must not forget that the appointment would be a shuttlecock of politics; and it would be exceedingly unlikely that they would at all times have as able a member of the profession in that place as the gentleman he had alluded to. The Hon. Mr. Waterhouse had pointed out how they might affect the judicature of the country. He (Colonel Whitmore) would say something as to how it might affect the political character of much of their legislation. The Government were bound, to a very large extent, to be influenced and guided by their Attorney-General in the Bills they brought down; and if they had some trumpet lawyer, who did not understand his profession, but who was nevertheless a man of weight in politics, there was very great danger that the Government would be exceedingly ill-advised. Whereas, on the other hand, if the Government paid sufficient salary to secure the services of one of the most eminent gentlemen of the legal profession, they could at all times depend upon an unbiassed opinion on any subject which the Government might submit to him for his advice. Taking another ground than that, he objected to hurriedly passing this Amendment Bill, which would wipe out the deliberate result of the experience of members of Parliament for many years, before the Act of 1866 was brought in.

The Hon. Mr. MENZIES thought it was a matter of regret that the petition which had just been read had not been more carefully scrutinized before it was received by the Council; because, clearly, it testified to nothing more than the unbounded self-esteem of the writer, and his general idea that the appointment of an Attorney-General under this Bill would demoralize that gentleman, by bringing him into contact with members of the Assembly in whichever House he might sit; and that it was not desirable he should have private practice, the probability being that his possessing that privilege would tend to the diminution of the practice of other members of the Bar. The honorable gentleman who had moved the amendment had dwelt principally upon the injurious effect upon the Bench which the passing of this Bill might lead to, and had referred to instances which had occurred in other colonies to bear him out in the expectation that such might be the case; but he thought he might refer to our experience in this colony as to the effect upon the Bench of having political Attorneys-General, during the longest part of our history under responsible institutions. As the Colonial Secretary had stated, in moving the second reading of the Bill, from the earliest days of the colony up to 1866, the Attorney-Generalship was a political

office, held, first of all, by a member of the Government for the time being, and subsequently, when the Constitution Act came into operation, the Attorney-General continued to be a Minister and one of the members of the Executive until 1866. He did not think there was anything in their experience, during the period in which the Attorney-General was a political officer, that would lead them to entertain any apprehension of such an appointment exercising an evil influence on the Bench. If they looked back to the gentlemen who were members of one or other House of Representatives during that period, and who held the office of Attorney-General, they would find that among the most distinguished men—or, to speak more correctly, those who ranked amongst the first of the then political men—were those gentlemen who held that position during the whole of that time. They found amongst them the names of Mr. Sewell, Mr. Fox, Mr. Gillies, Mr. Whitaker, and Mr. Prendergast, who also continued to be Attorney-General under the new system.

AN HON. MEMBER.—Mr. Swainson.

The Hon. Mr. MENZIES said Mr. Swainson was Attorney-General before the Constitution Act came into operation, and continued to be Attorney-General only till the first Government was formed under the Constitution Act—the Government which consisted of Mr. Stafford and Mr. Richmond, with Mr. Whitaker as Attorney-General. They ought rather to draw from their own experience than to apprehend any evil consequences from the experiences of other colonies. He saw nothing in their own experience to lead to the apprehension that there would be any injurious effect in the office being a political one; for up to the year 1866 the Bench undoubtedly occupied a position not less distinguished, not not less possessed of the public confidence, than the Bench did now; and in stating that, he did not in any way intend to reflect upon the present constitution of the Bench. On the other hand, he might say that the confidence of the public in the Bench had not been in any way diminished since the year 1866. If the holding of the office of Attorney-General as a political office was calculated to have a deteriorating effect upon it, or to lessen the respect in which the Bench was held, surely it would have been felt during the period when the office was so held, or at a subsequent period, when an appointment was made to the Bench. He did not think any honorable member would contend that the appointment in any way had tended to lessen the respect in which the Bench was held, and he thought the example they could draw from the experience of the mother country could in no way lead to the conclusion that the tenure of this office as a political one would be likely to have that effect, for they knew that for a very long period the Attorney-General in the United Kingdom looked to immediate promotion to the Bench after a vacancy occurred. He did not think such was always the case in this colony; that it had been so at a certain period he was aware, but he did not think it had been always so; and he apprehended that the confident expectation that such

promotion would follow the appointment, could only occur in very exceptional circumstances henceforward. He had expected that some dis-appointment would have been expressed that they were still limited to the number of seven Ministers. If a new Minister, or rather one of the Ministers, was to have the new designation of Attorney-General, he feared that alone would not induce him to relinquish the harder seats in another place for the softer cushions of the Council, so that they would soon be in the position which his honorable and gallant friend Colonel Whitmore deprecated, of having the Government represented by only one member. He thought, before the Bill passed out of the Council, it might probably be improved by making such an addition as would admit of an increased representation of the Government in the Council.

* The Hon. Mr. HALL said part of the reasons which induced him to vote for this Bill had been so well expressed by the honorable gentleman who had preceded him, that he would trouble the Council with very few remarks; but as he was a member of the Government when the Act of 1866 was passed, he thought it right to say, that although at that time it was desirable that the office of the Attorney-General should be a political one, the position of affairs had so very much changed that he thought now, not that it was indispensable that the office should be a political one, but that it should be open to the Government to make it a political one if they found it necessary. At the time of the passing of the Act of 1866, there were but two legal gentlemen in the other branch of the Legislature, Mr. Brandon and the late Mr. Borlase. Now, the number of lawyers in the other House was very much larger. At that time, if the Government had been under the necessity of selecting an Attorney-General in the House, their choice would have been very restricted, but now things were very different. The number of professional men in the House of Representatives was large, and the amount of professional learning which was brought to bear upon questions under discussion was very much larger than formerly, and therefore he presumed the Government felt that it was exceedingly desirable that they should be assisted by a professional gentleman on their own bench. He thought there was very great force in that argument, and that the Government at present was under a very unfair disadvantage, deprived, in the presence of so many professional men, of the assistance of a legal colleague in the person of the Attorney-General. Therefore, for the proper conduct of parliamentary business, if for no other reason, he thought the time had arrived when it was desirable they should revert to the arrangement which had prevailed during the greater part of their constitutional career, namely, having a political Attorney-General. He hoped honorable members would bear in mind, not only the manner in which the Government business was to be conducted in that Council, but the manner in which it was to be conducted in the other branch of the Legislature. To his mind, this appeared to be the strongest argument that could be brought forward for the proposed change,

—namely, that it was almost necessary for the proper conduct of the Government business in the other House that there should be a legal gentleman upon the Government benches. He hoped the Council would not think lightly of that necessity, and would not throw any impediment in the way of what appeared to be the wish, not only of the Government, but of a large majority of the other branch of the Legislature. For that reason he would vote for the Bill. The Hon. Mr. Waterhouse had requested, and he thought in that request was supported by the Hon. Colonel Whitmore, that the Bill might be deferred until next session, in order that they might not pass it until some distinct provision had been made with regard to the appointment of Judges. He did not see the necessity for that. There was no necessity for postponing this Bill on that account, because it was in the highest degree improbable, in the first place, considering the changes which had lately taken place on the Bench, that there would be a vacancy very soon; and in the second place, if a vacancy did occur, he thought it was in the highest degree improbable that the gentleman who would most likely be appointed to the office of Attorney-General, if this Bill passed, would put in a claim to a Judgeship. Therefore the danger apprehended by the Hon. Mr. Waterhouse was, to his mind, altogether a visionary one. If Parliament thought it desirable next session to make some different provision to that which now existed, and the necessity for which he did not himself see, in regard to the appointment of Judges, it would be open for it to do so, and the passing of this Bill would not preclude it from doing so. He, for his own part, considering what had taken place with reference to the appointment of Judges in this colony while they had a political Attorney-General, did not see any great necessity for a change. For these reasons, and considering the very weak arguments which had been brought forward against the Bill—they had been a mere plea for delay, a delay which must be productive of very considerable embarrassment—he trusted honorable members would not hesitate to read the Bill a second time.

* The Hon. Captain FRASER was sorry the Hon. Mr. Hall had made out such a bad case for the Government. He said the law was all against him, or what was tantamount to that. He (Captain Fraser) was in favour of a non-political Attorney-General. If there was a political Attorney-General, his opinions would have an involuntary bias. Being a partisan, his judgment would naturally be biased. The late Attorney-General gave an opinion on the 1st December, 1874, which would never have been given by a partisan Attorney-General. He said he saw no room for doubt about the abolition of provinces being *ultra vires*; but as there were doubts expressed, he recommended the Government to apply to the Law Officers of the Crown in England; and if they did not take a favourable view of the matter, the Government should have a Bill brought in. Would any partisan Attorney-General have done that? It was very much to be regretted that the Government did not take the advice of the

late Attorney-General on that occasion. It did not much matter who they had as Attorney-General in this country, because the people of New Zealand would make very good Roman Catholics. No matter who was appointed to office,—if they took an ordinary lawyer from an ordinary firm and made him Attorney-General, his opinion would be considered infallible. If they took a clodhopper and put him on the Government benches to-morrow, words of wisdom would be expected to fall from his lips. He would vote for the postponement of this Bill.

The Hon. Mr. MANTELL said that, from his experience of the Attorney-General as a political officer, he must say he was distinctly in favour of the office being a non-political one. It must be known to the Hon. the Speaker, and to everybody else who had had experience of Attorneys-General, when holding portfolios in the Government that, out of respect and friendship for their legal colleague, when they really wanted a clear unbiassed view of their legal position on any question, they had recourse, not to their colleague, but to the Assistant Law Officer. That was invariably the case—speaking at any rate of his own experience. Of course he could understand very well that in another place the assistance of a gentleman accustomed to plead all sorts of things before all sorts of audiences might be of great advantage to the Government; yet he had often known political Attorneys-General who landed their colleagues in complications which they probably would have escaped had they not had the assistance of so ingenious and able an advocate as a political Attorney-General. Of course his honorable friend's experience might have been different. He might have found that assistance from his legal colleague which he (Mr. Mantell) did not find. He had no reason to complain on any occasion of not having received the most kindly and ready assistance from Attorneys-General; but, at the same time, he was quite conscious that in getting opinions from them, he was getting an opinion from politicians who took a particular view of a public question, and he preferred, for his own sake, to get legal opinions which he had no reason to suppose were dictated by any such influence. As to the petition read to the Council, he had only to state that it was a petition that the Council itself saw fit to refer to the Petitions Committee, and that that Committee was perfectly right in suggesting that the course laid down in such cases by the Standing Orders should be adopted. Of course, it had its defects, like every other petition. It showed a certain amount of the idiosyncracies of the writer, and which, no doubt, to those who knew the gentleman—he had not that pleasure—were by no means unexpected. At the same time, he did not see any trace of its being meant to show any disrespect to the Council or the Government. He was sorry the Hon. Mr. Hall should have changed his opinion since 1866. He thought the course then taken was a decidedly proper one. Prior to that time, it was necessary to have Attorneys-General as colleagues who held very considerable positions. For instance, Mr. Sewell, if he remembered aright, was a member of

Mr. Fox's Ministry, and during the latter part of the time he held office as Attorney-General without being a member of the Cabinet, and without taking any political responsibility. However, Mr. Sewell's opinions, they all knew, were excellent and ready, and—well, they were Mr. Sewell's opinions at any rate. They were opinions which did not meet with the general concurrence of his learned brethren. The Hon. Mr. Hall said it did not follow as a matter of course that the Attorney-General would be entitled to claim a vacancy in the Bench. However, he (Mr. Mantell) thought that the other members of the legal profession could not think he would be acting justly towards his learned brethren if he accepted office without stipulating for any Judgeship that would fall vacant during his tenure of office. Even if he did not contemplate the possibility of accepting promotion himself, he would make the stipulation, on the plea that he did it in justice to his learned brother who might succeed him as political Attorney-General. He quite agreed with the Hon. Mr. Hall, that the assistance of a legal member of the Government in conducting debates was very valuable; but he did not think it was necessary on that ground that the gentleman should hold a legal office. He imagined that the gentleman's law would be just as good, and his guidance would be just as efficient, if he were called Postmaster-General, Commissioner of Customs, or anything else. If they wanted the assistance of a skilled pleader in the other House of Legislature, let them avail themselves of his services; but it did not at all follow that he should hold a professional office. He had known cases in which medical gentlemen had been of great use on the Government benches; but still they did not on that account create the office of Doctor-General, or anything of that sort. They might, when they developed a little more propriety, and a little more of that morality which was so frequently mentioned in the petition just read, require a reverend gentleman; but they would not necessarily appoint him to some new ecclesiastical office, and establish an ecclesiastical department under him. It was not necessary that a legal member of the Government should hold a professional office; and he should be very sorry indeed if the Council consented, at any rate without further consideration, to pass this Bill, respecting an Act which was very well considered, and had had a good effect.

* The Hon. Mr. J. JOHNSTON, referring to what had fallen from the Hon. Mr. Menzies, who had cited in support of the Bill the experience of the past, said he was inclined to think that the past had given no experience. The Judges, with the exception of recent appointments, were offered and accepted their Judgeships in England. No deaths had occurred, and until the retirement of the late Chief Justice, no opportunity occurred to an Attorney-General to claim his prerogative; therefore experience could not be said to have shown that the elevation to the Bench of a political Attorney-General had worked well or otherwise. If it could be conceived that his honorable friend the Colonial Secretary should, by some operation

in another place, have to be removed from the position he now occupied, and that the Opposition occupied the Ministerial seats, he could fancy there might be the appointment of an Attorney-General who, if he claimed the high office of a seat on the Bench in the case of the death of any of the present Judges, might not be satisfactory to the country; and he thought such a view as that should not be lost sight of. He did not think it followed necessarily that all those who were made political Attorneys-General should, in the eyes of the country, be of that distinction to merit a seat on the Bench.

*The Hon. Dr. POLLEN hoped the Council would not accept the amendment of his honorable friend Mr. Waterhouse, and refuse to allow the Bill to be read now a second time. The argument which his honorable friend had based upon what he was pleased to call the prescriptive right of the Attorney-General to any vacant Judgeship had been answered sufficiently by honorable members who had already spoken on this subject. He (Dr. Pollen) denied that any such prescriptive right existed in this colony, or could fairly be pleaded in support of such a claim; and if it could be pleaded, he denied that any Government could relieve itself of the responsibility which devolved upon it for the appointments that were recommended to be made by it to the Judicial Bench of the colony. As a matter of fact, several vacancies in the Bench occurred before the passing of "The Attorney-General Act, 1866," but none of the Attorneys-General who were then in office availed themselves, or thought of claiming for themselves, any prescriptive right to be placed upon the Bench; on the contrary, when a vacancy occurred, one of the holders of that office, Mr. Sewell, recommended that an application should be made to the judicial authorities in England to select and send out a fitting person as a Judge. And when a vacancy occurred during the time that his honorable friend Mr. Whitaker was Attorney-General, he did not set up any prescriptive claim for that appointment. The only occasion when an Attorney-General in this colony had been raised to the Judicial Bench was in the case of Mr. Prendergast; but his claim to that position was not based upon any prescriptive right, such as that which the Hon. Mr. Waterhouse referred to, but upon the specific promise which was made to him as one of the conditions of his accepting the office of Attorney-General in 1867, that he should have the first vacancy that occurred on the Judicial Bench. The other inconvenience which his honorable friend Mr. Waterhouse pointed out was this: that in case of there being a political Attorney-General, the House of Assembly would be deprived of the independent and unbiased advice upon local questions which they had hitherto received. The appointment of a political Attorney-General would not deprive the country or the House of Assembly of the assistance of the permanent Law Officer of the colony. There would still be a Solicitor-General and a permanent officer to whom the House of Assembly could have recourse in the future as they had had in the past; and supposing for a moment that a political Attorney-General would venture

to imperil his reputation as a professional man by giving a biased and misleading opinion for political purposes, there would always be behind him an officer to whom the Assembly could have recourse, and who would be beyond the suspicion of party bias. There was another view of the question which ought to have some weight, and which he hoped would have some weight with honorable gentlemen—and that was, that the passing of this Bill may enable the Government to make an arrangement for having an additional Minister in the Council, a desire for which was expressed with a great deal of unanimity on a recent occasion. The Hon. Mr. Hall had pointed out that, in the conduct of the Government business in the Assembly, where there was now such a large infusion of what he might call the legal element, the Government were constantly placed at great disadvantage from the fact that they had nobody by their side who could take up and immediately dispose of a legal argument. It was not always possible for a layman to do that; and the consequence was very great embarrassment, obstruction to business, and confusion, where such power did not exist on the part of the Government, and where it did exist on the other side. He hoped the Council would not forget the fact that this Bill had been passed with a very large measure of concurrence in another place; and that, in dealing with this question, it would not put the mere convenience of postponing it for another year in opposition to the views which had been expressed there, by the passing of the Bill, as to the necessity for the change which was proposed to be made. He again expressed the hope that the Council would not accept the motion of his honorable friend, but would allow the Bill to be read a second time.

Question put, "That the word 'now' proposed to be omitted, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	9
Majority for	...	...	...	...	5

AYES.

Mr. Acland,	Mr. Hart,
Mr. Bonar,	Mr. G. E. Johnson,
Colonel Brett,	Mr. Lahmann,
Mr. Campbell,	Mr. Menzies,
Mr. Edwards,	Dr. Pollen,
Mr. Gray,	Major Richmond, C.B.
Mr. Hall,	Mr. Russell.

NOES.

Mr. Chamberlin,	Mr. Mantell,
Captain Fraser,	Mr. Paterson,
Mr. Holmes,	Mr. Pharazyn,
Mr. J. Johnston,	Mr. Waterhouse.
Lieut.-Colonel Kenny,	

Amendment negatived, and Bill read a second time.

DUNEDIN WHARVES AND QUAYS BILL.
On the motion, That this Bill be read a third time,

The Hon. Mr. WATERHOUSE said he was not in the habit of taking exception to third readings. He generally liked to fight a Bill on the second reading; and if he was defeated then, he contented himself with the action he had taken on that occasion, and did not seek to combat the Bill any further. It so happened, however, with reference to this measure, that he was unfortunately absent when the second reading was under consideration; but there were circumstances connected with this Bill of such a character that, when it was proposed to be read a third time, he could not content himself without stating the reasons which influenced him to give a vote against the measure. He might state that the proposition to endow the Harbour Board with property of the character referred to in the Bill was, under ordinary circumstances, a proposition which would meet with his concurrence. He thought it right that Harbour Boards should have reserves that were set apart for the purpose of quays, and that the profits arising from such reserves should be devoted to harbour improvements. He likewise recognized that in the case of Port Chalmers there was a great work to be done, and that it was of essential importance that the Harbour Board should be endowed with sufficient funds to perform those works efficiently. But there were two ways of doing a thing—a right way and a wrong way; and his objection to this Bill was simply that the wrong way had been adopted. They should not and they ought not altogether to ignore the history of this Bill. It was introduced into the other branch of the Legislature by a gentleman whose name stood at the head of it, Mr. Stout, for one particular object. At the time the Bill in the regular course of business was called on, that honorable gentleman was away. It was usual upon such occasions for the Bill to lapse till the honorable gentleman in charge of it was in his place to see it through the House. In this case, however,—

The Hon. Mr. MANTELL rose to a point of order. He thought the honorable gentleman could not refer to the proceedings in another place.

The Hon. Mr. WATERHOUSE said he was merely alluding to an historical point, to facts which could not be controverted, facts which had now passed into history, and were as much the history of this place as anything that had taken place in the town during the last month.

The Hon. Mr. HALL would submit that the same might be said of almost every proceeding in another branch of the Legislature, even during the present session, and down to a late period of the previous day, or that morning. They were all matters of history.

* The Hon. the SPEAKER said it was an acknowledged principle in parliamentary law that no notice should be taken of any debate in another House during the same session.

The Hon. Mr. WATERHOUSE would then put a hypothetical case. If a Bill were introduced into the other branch of the Legislature by one honorable member for one specific purpose; if that honorable member happened to be away from his place at the time that Bill was called on;

if then another honorable member, adverse to the Bill, rose in his place, took charge of the Bill, against the ordinary rules of Parliament, and entirely reversed the object of the Bill, so as to give it an absolutely different meaning: would that be considered a right mode of proceeding, and would the second branch of the Legislature—the conservative branch of the Legislature—be justified in regarding it as a right course of proceeding? If such a course were adopted, would it not be essentially within the duty of the conservative branch of the Legislature to impose some delay, however right the Bill might be in other respects? His objection to this Bill was based upon a feeling of this sort: that, however right the Bill might be in itself, or however desirable, the right mode of introducing it into Parliament had not been adopted. Under these circumstances, it was desirable that some delay should be interposed, in order that the measure might pass through Parliament in a more fitting and becoming manner. Simply for that reason, he would oppose the third reading of the Bill.

The Hon. Mr. MENZIES thought the first remark the honorable gentleman made explained altogether the rest of his observations. He was quite certain that if the honorable gentleman had been in his place during the time the second reading was discussed, and still more if he had been in the Waste Lands Committee when it was considered there, he would have seen that there was no reason to raise the objections he had just started. Every member of the Council now knew that this land was originally granted for the purpose of wharves and quays; but after a time, because there was no Board to administer the endowments, and because all accommodation for the purposes of wharves and quays was provided by the Provincial Government, this reserve, among some others in the city of Dunedin, was given over to the Corporation. Some of the reserves were invested in the Corporation, who had absolute power over them. Others, including the one in question, were given over to the Corporation simply for management. In the Ordinance whereby the management was given to the Corporation that was distinctly stated, as was also the purpose for which the grant was made. Since then, however, this particular reserve had been found to yield a good rental of between £300 and £400 a year, and the Corporation not very unnaturally supposed that they could more usefully apply that rental than the Harbour Board which was subsequently formed. They found that, inasmuch as a railway cut through this reserve, that the land was reclaimed, and that more was about to be reclaimed, the reserve could never be used for wharves and quays. It was true the land could never be used for that purpose, still it could be made a most valuable and useful endowment for the Harbour Board to form wharves and quays elsewhere. These two great powers could not manage the matter between themselves; and in the interests of the Corporation, this Bill was brought in to secure the reserve for that body. Naturally enough, the Harbour Board, on proving to the other branch of the Legislature the purposes to which the land

was originally destined, secured the alteration of the Bill in such a way as to devote the land to the purpose for which it was originally intended. He did not see that the honorable members in another place or in the Council were in any way more to blame for the particular view they had taken of the matter than any man of the community would be in defending himself against another man of the community who thought that the money in the first party's pocket could be more usefully applied by himself. Those who supported this Bill would be very much in the same position as a man who defended himself against one who desired to pick his pocket. The Bill, as it now stood, restored the reserve to the purpose for which it was originally destined. In the Waste Lands Committee, the schedule was found to be defective; and in order that there might be no mistake on that point, the schedule was altered, and that which was now attached to the Bill was copied from the Crown grant. That, he thought, was the most conclusive proof that the present object of the Bill was the right one.

The Hon. Mr. CAMPBELL was not going to enter into the merits of the Bill. It appeared to him that the only reason why they were asked by the Hon. Mr. Waterhouse to throw it out was, that the manner in which its early stages were conducted in the House of Representatives did not meet with his approval. Now, he ventured to suggest, it was not for the Council to inquire how the Bill arrived at that branch of the Legislature in a particular form. All they knew of it was that it was submitted to them, and had undergone consideration. The honorable gentleman seemed to object to the Bill, because the promoter in the other branch of the Legislature was not in his place when it was called on for second reading, and because it was then taken charge of by some other honorable member, and certain alterations were made while it passed through Committee. He did not wish to go into the merits of the question; but he desired to say that if they were to review everything that took place elsewhere, they would find themselves in a very difficult position in regard to a great many measures.

The Hon. Captain FRASER had been influenced all along by the fact, that some time ago the Legislature gave power to the Municipal Corporation of Dunedin to borrow a certain sum of money, and this reserve was shown in London as a collateral asset. He was informed, by a banker in Wellington, that if the Legislature now diverted the reserve, and gave it to the Harbour Board, it would be a breach of faith with the bondholders, would depreciate the credit of the colony in London, and make it almost impossible to float any other local loans. He was entirely influenced in his opposition to the Bill by that fact, which was elicited before the Public Petitions Committee.

The Hon. Mr. ROBINSON was glad that the Hon. Captain Fraser had explained the reason why he had opposed the second reading of this Bill, for if the honorable gentleman had shown good grounds for opposing it, he sympathized so strongly with the honorable gentleman that he

would have supported him; but the argument which he had brought forward was so weak, that he had not the slightest hesitation in confirming what had already been done in the Council with regard to this measure. That gentleman had told them that these reserves, which the Corporation only held in trust, were absolutely exhibited as security, and money borrowed on the strength of that representation.

The Hon. Captain FRASER explained that he never said that the money was borrowed, but that the reserves were shown as collateral security.

The Hon. Mr. ROBINSON.—Exactly; that the document, the Crown grant, the title, or whatever it might be, for this reserve was exhibited as collateral security for money the Corporation was about to borrow. Now, he thought, in the ordinary course of borrowing, when people who lend money to Corporations had such a document presented to them, and were asked to lend money on the strength of it, they would ascertain for themselves, before they advanced that money, whether there was really a good title to the land which the Corporation alleged they possessed. It seemed to him, in this case, that it was impossible for them to have done anything of the kind, inasmuch as it was clearly shown that this land never was in the possession of the Corporation, except to be held in trust, the Corporation receiving the rents. That body had had a good milch cow for some years past, and, from what he had heard in the Council, he understood they had been in receipt of £300 or £400 a year from the reserves. It was natural that a body having been in the receipt of such a large sum per annum, no matter how they derived it, would be reluctant to dispose themselves of the source of income. This question was brought before the Committee, and was clearly gone into there. It had also been discussed in the House, and it had been clearly shown that this land was really intended, in the first instance, as an endowment for the Harbour Board. It had, he thought, been clearly shown by the Hon. Mr. Mantell, that Mr. Domett, at the time the reserves were made, gave them a particular designation, as indicating the purposes for which they were intended, and they were called wharves and quays, which showed that they were to be an endowment for the harbour. They had nothing to do with the question of how this measure came into the Council. It was brought down, and it was for them to consider whether it was a right and proper Bill. That question had been fully discussed, and the Council had come to the conclusion, and from good evidence, that this reserve belonged to the Harbour Board, and for these reasons he would support the third reading of the Bill.

* The Hon. Mr. PATERSON said that when the Bill was being discussed at its second reading he opposed it, and voted against it, not on the ground which was now raised as to proceedings adopted with reference to it elsewhere, but on the ground that he was opposed to the provisions of the Bill itself. No doubt, those circumstances were referred to on the second reading, and weighed considerably in influencing some mem-

bers of the Council with regard to the Bill itself; but, apart from these proceedings altogether, he still thought the measure was a mistake. There could be no question that the fact of the reserve having been named as it had been was the original cause of all the mistakes that had taken place. As had been stated before, the land was no longer suitable for the purposes for which it was originally intended; for instead of being the boundary between the town and the waterside, as it was formerly, it was now situated in the centre of the town. ("No, no.") It might not be literally speaking in the centre of the town; but it was so much so that there was a large accumulation of land between it and the water, so that it could no longer be used for wharves and quays. Besides, as had been mentioned during the previous discussion, the Harbour Board had already received large endowments, and were, as far as funds were concerned, quite in a position to carry on their works. No injustice would be done to them by leaving this reserve with the Corporation, because they had ample endowments favourably situated for wharves and quays. This reserve was made over to the Corporation, and they were allowed to appropriate the rents derived from it by the authority of the Provincial Council. The only reason why the original Bill was introduced into the Assembly was that, in view of the constitutional changes, it was thought to be advisable to obtain colonial authority instead of provincial, which was about to be swept away. The power of the provincial authorities to grant the use of the land to the Corporation had never been questioned. As had already been pointed out, in the absence of the gentleman in charge of the Bill advantage was taken to change its nature and object altogether.

The Hon. Mr. HOLMES had nothing to say except that he actually heard the controversy that took place when the Bill was dealt with in another place, and he was in a position to disprove a good deal that had been said as regarded the advantage taken in the absence of a member—

* The Hon. the SPEAKER suggested that it would be as well not to touch upon what took place in another branch of the Legislature.

The Hon. Mr. HOLMES would not do so; but he would ask any honorable member to imagine that he himself was placed in charge of the Bill in the Council, and that something had called him away, and he had requested, say his honorable friend Mr. Menzies, who was interested in the same locality, to take charge of the measure, that honorable gentleman knowing as much of the circumstances and being both as able and as willing to advocate the interests of the district as he (Mr. Holmes) could possibly be; and supposing the honorable gentleman contested the Bill strenuously point by point and fought it out, could it be said that another party holding an opposite view, took an undue advantage when, after lengthened discussion the Bill was carried in the shape in which it now was? That was exactly the manner in which the Bill arrived at its present stage. With regard to the fact of the Corporation including the reserve in the security offered for the loan, that was their error. It

was, however, not uncommon that land shown as security in that way should be afterwards disposed of. The mere fact of reserves being supposed to be given as security for loans did not prevent their subsequent alienation; and why should this matter be brought forward as against the Bill? His honorable friend Mr. Paterson had stated that this land was not of any value for the purposes originally intended. He granted that was the case, but it would be as valuable to the Harbour Board for the purposes of revenue as it would be to the Corporation. There was no doubt that when the reserve was made, it was contemplated to bring vessels to Dunedin, and that wharves would be made there, so that the land was precisely of the character that would be set apart for harbour purposes. He could not see what good plea could be urged against the passing of this Bill. He believed the land would go to the parties for whom it was originally intended, and therefore no wrong would be done to the Corporation.

* The Hon. Mr. BONAR, having spoken on the second reading of the Bill, only desired now to relieve the mind of the Hon. Captain Fraser as to the grounds on which he had formed his decision. He did not intend to refer to what had taken place in another House; but he might be allowed to say that Mr. Stout's name being at the head of the Bill, that gentleman's evidence on the question would be satisfactory to his honorable friend.

"Are you aware that the reserves are now held by certain creditors for a loan?—I have been told so; but I do not think that is correct, for this reason, that the city has no power to borrow a shilling on its reserves. . . . Further than that, they could not bind any one by saying that the reserves were to be security. It is incorrect to say that."

Then again,—

"Then the Committee are to understand that the Municipality could not advance these rents as security for the purpose of borrowing?—No; except in an indirect way.

"As a collateral guarantee that they were able to pay interest?—Yes.

"Mr. Murray.] Do you think a trustee would be justified in putting in some property he holds in trust for other purposes as security for the raising of money to be applied to his own purposes?—They could not have put this reserve in as security at all."

That, to his mind, was perfectly conclusive upon the only difficulty he had on this question.

The Hon. Mr. MANTELL had only one word to say in reply. The Hon. Mr. Bonar had quoted what he himself had already called attention to, with regard to the moonshine idea that these reserves were sacred, because they had been included in the schedule furnished by the Corporation to the Bank. He had also previously stated that the Harbour Board had likewise included the reserves as collateral security for its loan. Bankers knew perfectly that it was the practice of all Corporations to bring forward every possible thing they had in their power, and everything they had a claim over, in order to

make their securities look well. For instance, the Wellington Corporation, in its schedule, included the town belt, the whole rents of which were otherwise specially appropriated. The Hon. Mr. Robinson referred to the name Wharves and Quays having been conferred on these reserves by Mr. Domett. He thought that on the second reading he had made it quite intelligible to the Council that these were called wharves and quays before a single section was selected in Dunedin; and that having been laid out originally, the sections were designated in order to prevent confusion. He hoped the Council would allow the Bill to be read a third time.

Question put, "That the Bill be now read a third time; upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	6
Majority for	...	...	...	...	12

AYES.

Mr. Acland,	Lieut.-Colonel Kenny,
Captain Baillie,	Mr. Lahmann,
Mr. Bonar,	Mr. Mantell,
Mr. Campbell,	Mr. Menzies,
Mr. Hall,	Dr. Pollen,
Mr. Hart,	Major Richmond, C.B.,
Mr. Holmes,	Mr. Robinson,
Mr. G. R. Johnson,	Mr. Russell,
Mr. J. Johnston,	Mr. Stokes.

NOES.

Colonel Brett,	Mr. Paterson,
Mr. Edwards,	Mr. Scotland,
Captain Fraser,	Mr. Waterhouse.

The Bill was consequently read a third time.

The Council adjourned at a quarter past ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 12th October, 1876.

First Readings—Second Readings—Third Readings—Paris Exhibition—Railway Accident Insurance—J. Arnott and others—Lawrence Foot Bridge—Cook Strait Cable—Sir Julius Vogel's Missions to England—Press Telegrams—Alexander Stitt—Inspector of Prisons—Protection of Animals Act—Auckland Provincial Council Library Bill—Waitara Harbour Board Bill—C. Phillips—Auckland Public Buildings Bill—Timaru Harbour Board Bill—Otago Harbour Board Bill—Napier Harbour Board Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Waitahuna Athenaeum Reserves Bill, the Gold Fields Bill.

SECOND READINGS.

The Kakanui Harbour Board Bill, the Palmerston South Athenaeum Incorporation Bill, the

Wellington Hospital and College Reserves Bill, the Cattle Importation Bill.

THIRD READINGS.

The Auckland Provincial Library Bill, the Dunedin Drill-shed Bill, the Castlepoint Harbour Board Bill, the Thames Harbour Board Bill, the Ellesmere and Forsyth Reclamation and Akaroa Railway Bill, the Oamaru Harbour Board Bill, the Riverton Harbour Board Bill, the Bluff Harbour Board Bill, the Lyttelton Harbour Board Bill, the Wanganui Harbour and River Conservators Bill, the Hokitika Harbour Board Bill, the Patea Harbour Board Bill, the Waimakariri Harbour Board Bill, the Moeraki Harbour Board Bill, the Wellington Harbour Board Bill, the Foxton Harbour Board Bill, the Waitara Harbour Board Bill, the Kakanui Harbour Board Bill, the Palmerston South Athenaeum Incorporation Bill, the Cattle Importation Restriction Bill.

PARIS EXHIBITION.

Mr. SHARP asked the Premier, Whether the Government are prepared or willing to make any provision for the due representation of New Zealand interests and productions at the Grand Exhibition at Paris in 1878? As honorable members were aware, an exhibition had been held this year at Philadelphia, at which he thought New Zealand did not take that prominent position which, as one of the foremost countries in this part of the world, she should have taken. The productions of New Zealand were more in demand on the Continent than in America; and as an Exhibition was to take place in Paris in 1878, proper steps should be taken to insure that New Zealand was well represented at that Exhibition. No doubt it would take some time to make the necessary arrangements, and he asked the question this year in order that proper steps should be taken.

Major ATKINSON said the matter was under the consideration of the Government, and in a few days he would inform the House what course they proposed to take in regard to it.

RAILWAY ACCIDENT INSURANCE.

Mr. HURSTHOUSE asked the Premier, Whether the Government will, during the recess, take into their consideration the advisability of establishing insurance offices at the various railway stations in the colony? He was induced to place the question on the Order Paper in consequence of representations made to him by certain gentlemen residing in the district from which he came, who, together with himself, were impressed with the belief that, as the railways progressed, the establishment of railway insurance offices would prove a remunerative source of income to the Government. The system he would like to see initiated was that which had proved so successful in the old country.

Major ATKINSON said the matter, which was one of very considerable importance, was under the consideration of the Government; but they had not yet arrived at a decision on the subject. He could not therefore give the honorable gentle-

man any definite answer at that moment, but would do so at the earliest possible date.

J. ARNOTT AND OTHERS.

Mr. KENNEDY asked the Government, Whether it is contemplated to give effect to the report of the Public Petitions Committee in the matter of John Arnott, and James Kerr, and Joseph Petrie?

Mr. WHITAKER said the difficulty had arisen out of a mistake made by the Returning Officer of the district, who was instructed, in regard to the printing of the electoral roll, to give one-half to one office and the other half to the other. Instead of doing so, he gave the whole of the printing to both offices. The Government had had the matter under consideration, and considered that these people were entitled to be paid. The only question was, whether they were entitled to be paid the whole sum, because it appeared that the rolls were all printed at the same office, from the same type? Under these circumstances the Government did not think that full payment should be made to each.

LAWRENCE FOOT BRIDGE.

Mr. J. C. BROWN asked the Government, If they will cause a foot bridge to be erected over a dangerous railway cutting in the Town of Lawrence? It would be as well to explain that this railway cutting passed right across one of the streets of Lawrence, where there was considerable goods and passenger traffic. He desired to know whether the Government could arrange for the erection of a foot bridge across the cutting, at a cost not to exceed £100. If it cost more, he would undertake, on behalf of the municipal authorities, that they would meet the extra outlay. The approaches to the bridge would cost the Corporation a considerable sum, and although there was a level crossing which would answer very well for goods traffic, it would be very dangerous for foot passengers, inasmuch as it was not possible for any one travelling along the road from Lawrence to Weatherston to see the train coming. He felt certain that unless this was done there would be many lives lost, and then probably the money would be expended. The cutting also prevented persons from getting easy access to their private property, and some of them would be compelled to go across a sharp curve to get to their houses. Last year a promise was made by the Public Works Department to provide £100 on condition that the Provincial Government of Otago also provided a similar amount. That sum was voted by the Provincial Government. The reason why the money was not expended was that the plans which were prepared by the Engineer of the Public Works Department were found to be of a far more costly nature than the work required. He hoped the Government would consent to this small expenditure for a work of so much importance.

Mr. RICHARDSON said it would manifestly be a very inconvenient course to enter into an agreement of this sort in the House without further information. The original proposition

from the authorities at Lawrence was that they should have a road bridge erected. The authorities then expressed their willingness to contribute a portion of the cost, on the understanding that the Provincial Government and the Colonial Government should also pay a portion. The Government had since provided a level crossing. Now, instead of asking for a road bridge, they wished to have a foot bridge. He had no estimate of what the cost would be; but, if the local authorities were prepared to share the expense, probably the Government would be inclined to construct the bridge. He could, however, give no positive answer at present.

COOK STRAIT CABLE.

Mr. MURRAY asked the Government, What arrangements have been made as to payment of demurrage to the ship "Zealandia," in consequence of the delay of the Government in taking delivery of the Cook Strait cable? Why such delay has occurred? Will the new cable be laid on the best line, irrespective of the old cable? He said there was a rumour that the Government were paying the ship "Zealandia" demurrage at the rate of £20 per day for not landing the telegraph cable from that ship. He understood that next week they would have to pay £30 per day, and the following week £40 per day. He wished to know the reason for this, seeing it was intimated that the cable was to be delivered within four months from April last, and the time expired on the 28th of August. Every effort ought to have been made to take delivery from the ship six weeks ago. With regard to the second part of the question, he believed that the route by which the old cable was laid was very rocky, and this had led to the destruction of the cable, which, if it had been placed in a better situation, would have been quite sufficient for many years to come. He hoped the new cable would be laid on a different line.

Mr. WHITAKER said, with reference to the demurrage, a special contract had been made in London for the purpose of bringing out the cable, and, under the arrangement made, demurrage was to be allowed, if the ship were detained, at the rate of £20 for a certain number of days, £30 a day for another term, and then £40 a day. Demurrage began on the 9th instant, at the rate of £20 a day for fourteen days. That was the position of affairs. The arrangement was made in England, and not in the colony. The "Zealandia" arrived some eight or nine days sooner than had been expected. The delay in landing the cable was caused thus: An agreement was made with the Eastern Telegraph Company to allow their ship the "Edinburgh" to lay the cable, the Government paying only the absolute expense incurred in doing so, and not allowing anything as remuneration for the use of the vessel. That seemed to him to be a very desirable arrangement, but owing to the breakage of the cable between Port Darwin and Java the "Edinburgh" was sent there to repair it; it was then supposed that she would return in ample time to lay the Cook Strait cable, but a longer

time was consumed than had been supposed, and consequently she had been delayed in coming here. The "Agnes," a vessel belonging to the same company, had consequently been substituted for the "Edinburgh." A telegram had been received that the "Agnes" was in Sydney, and she was expected to arrive here in about a week or ten days, so that he hoped no very great amount of demurrage would accrue. There was a question whether the ship was entitled to any demurrage at all, but that was a matter of law, and he need not go into it in the House. It was intended to lay the cable by the best route, altogether irrespective of the old cable. The absolute position in which the new cable would be placed would not be decided until the experienced officers who would be in the "Agnes" had reported on the matter. He had a plan showing the soundings taken in parts of the Strait in which it was proposed to lay the cable, and he would be happy to show it to the honorable gentlemen. The plan also showed the position of the old cable.

SIR J. VOGEL'S MISSIONS TO ENGLAND.

Mr. STAFFORD, in moving the motion standing in his name, trusted it would be acceptable to the House. It appeared to him that it was very desirable that the honorable member for the Thames (Sir G. Grey) should have the opportunity of investigating, and suggesting any investigation that might be desirable, in reference to the cost of the missions of Sir Julius Vogel, and the subject-matter referred to in the motion. He understood it was also proposed to add the name of another gentleman, but his notice was confined to the name of Sir G. Grey alone.

Motion made, and question proposed, "That the name of Sir G. Grey be added to the Committee on Public Accounts, for the purpose of investigating and reporting on the subject-matter referred to that Committee on the 10th instant."—(Mr. Stafford.)

Sir R. DOUGLAS would suggest, if the honorable the mover and the House had no objection, that Mr. Rees's name should be added to the Committee.

Mr. STAFFORD said the honorable member for Waitemata had expressed that wish to him in the morning. As far as he was concerned, he would have been very happy to do so; but the rules of the House would not allow a name to be added without previous notice having been given.

Mr. SPEAKER said a notice to that effect was given by the honorable member for Riverton, but it was not placed on the Order Paper, because it was contrary to rule that the House should have brought before it a subject which had already been decided during the session.

Sir G. GREY begged to offer a few remarks upon the motion which had been made. The terms of the motion originally were to this effect: "To inquire into the cost to the colony of the two last missions to England of Sir Julius Vogel." He understood, upon talking to members, that their opinion was that the subject reported upon in terms of the motion would have been simply the separate cost of these two missions. That

was not his intention, but that was the resolution which had been referred to the Public Accounts Committee. He now proposed to strike out all the words after the word "That" in the resolution which had been moved by the honorable member for Timaru, for the purpose of adding the following words: "A Select Committee be appointed to collect, arrange, investigate, and cause to be printed for the information of this House all the cheques, bills, and accounts connected with the two last missions to England of Sir Julius Vogel, and report on the same; such Committee to consist of Mr. Andrew, the Hon. Major Atkinson, Mr. Lusk, Mr. Stevens, Mr. Rolleston, Mr. Rees, and the mover; with power to call for persons, papers, and accounts; to report within fourteen days, four to be a quorum." He believed, in justice to the gentleman who was sent to England on these missions, after what had taken place in this House, it would be right that a Committee should be appointed, and that the whole matter should be put in a clear light before this House and the public. He begged to move this amendment upon the motion made by the honorable member for Timaru.

Mr. SPEAKER was of opinion that this amendment could not be put, as it appeared to be somewhat similar to the motion made on Tuesday last, and disposed of by the House. The only difference was that this amendment entered more specifically into the *modus operandi*; but on all points it was materially the same as the question decided on Tuesday last in the negative by the House.

Sir G. GREY asked, upon a point of order, if it would be understood that the Finance Committee would be entitled to cause to be laid before the House copies of all cheques, bills, and accounts connected with the two last missions of Sir Julius Vogel to England. To his mind, the two motions were different. All the Finance Committee could do under the first motion proposed was to return the sum total of the cost of these two missions. He was anxious to have the whole expenses of this kind published, so that the matter might be cleared up. Under the present arrangement every item of expenditure would be furnished.

Mr. SPEAKER said it would have been quite competent for the House on Tuesday last to have adopted the motion for the appointment of a Select Committee, with power to call for papers and persons, with reference to this particular subject; but the House had negatived that motion. The rule for guidance on these points was very clear—namely, that when a question relating to any particular subject had been brought before the House, and a decision given upon it, the same subject could not be brought forward during the current session. It seemed to him that, under the reference to the Finance Committee, that Committee might report to the House all the particulars which the honorable member for the Thames sought to obtain. It would be quite competent for the honorable gentleman, when the report was brought up, if it were not satisfactory to him, to move that it be referred back to the Finance Committee for further consideration.

Mr. STAFFORD might state, for the information of the House, that the Public Accounts Committee had a meeting that day, and it was agreed to postpone the ultimate investigation until this motion, of which he had given notice, had been brought before the House, and the House had come to a decision with reference to it. The Public Accounts Committee gave instructions that every item of expenditure in detail should be prepared by the Treasury as a preliminary step in the investigation. If the honorable member for the Thames was so particularly anxious that the information should be supplied in detail, of course the Committee would not have objected, but the honorable gentleman ought to have specified that opinion in the original motion. Under the original motion the cost of the two missions simply was asked for, and the Committee might have brought up the grand total; but the Committee did not think that course would sufficiently meet the case. The Committee decided that day that the expenditure should be furnished in detail. If the honorable gentleman would consent to act on the Committee, and if the honorable member for Auckland City East were added to it, as suggested by the honorable member for Marsden—and as far as he (Mr. Stafford) was concerned, he should prefer that those honorable gentlemen should be added—they could bring forward a motion that the accounts should be stated in the fullest manner, and he was sure such a motion would receive the general concurrence of the Committee.

Mr. DIGNAN said that, as he understood the motion for the addition of Mr. Rees's name to the Committee could not be put, he would move as an amendment, That all the words after "Public Accounts" be struck out, so that the name of Sir George Grey might be added permanently to the Committee.

Major ATKINSON might say that he would be very glad if the name of the honorable member for Auckland City East could be added to the Committee, and would have supported a motion to that effect if it could have been put. It was desirable, as doubts apparently rested in honorable members' minds as to this question, that all honorable gentlemen who entertained those doubts should themselves thoroughly examine the accounts.

Mr. SPEAKER said, if this were not a reference to the Public Accounts Committee, but to a special Committee, it would have been quite competent to add the name of the honorable member for Auckland City East to that Committee. There had been no order of the House which would prevent the name of that honorable gentleman being added to any Committee to inquire into the Public Accounts; but, inasmuch as his name had been excluded from the Public Accounts Committee during the present session, it would be a violation of the rules of the House now to add his name to that Committee.

Mr. O'RORKE said it was quite competent for the House to rescind the resolution by which the name of the honorable member for Auckland City East was excluded from the Public Accounts Committee, and then to add that honorable

gentleman to the Committee. He had no interest in the matter himself; but as the Government and both sides of the House seemed to think it desirable that Mr. Rees should be on the Committee, he would move that the resolution be rescinded.

Mr. SPEAKER thought the House should pause before it rescinded a resolution without notice being given, as it might establish a dangerous precedent.

Mr. O'RORKE asked if it could not be done with the consent of the House.

Mr. SPEAKER.—Of course, and he would put it if the House desired; but he must point out that great evils might arise if such a precedent were established.

Mr. REYNOLDS said the course proposed by the honorable member for Onehunga was most unusual. If it were allowed, it would be quite competent for a motion to be brought forward by any honorable member to pack a Committee that had already been appointed by the House. The motion as it appeared on the Order Paper was perfectly distinct, "That the name of Sir George Grey be added to the Public Accounts Committee, for the purpose of investigating and reporting on the subject-matter referred to that Committee on the 16th instant." The honorable member for Auckland City West could not move his amendment in connection with that motion without first giving notice; because the original motion was simply that Sir George Grey be added for a special purpose, and the amendment was that he be added permanently to the Committee, which was a Parliamentary Committee. That made a great difference. He held, as a point of order, that the amendment could not be put to the House. With regard to the proposition that the honorable member for Auckland City East be added to the Committee for the same purpose, he would have no objection. In fact, he thought it would be advantageous to add the honorable gentleman to the Committee. When the Public Accounts Committee was first appointed, there was a great deal of ill-feeling engendered. It was stated that Auckland was not properly represented on the Committee; and thinking that probably the members of that province might have something to complain of, he resigned. If two Auckland members were now to be elected to the Committee, he thought two additional Otago members should be appointed, and probably two Wellington and two Christchurch members; thus in the end the Committee would consist of nearly the whole House. He contended, subject to Mr. Speaker's ruling, that neither of these amendments could be put to the House without notice being given.

Mr. SPEAKER said there was at present only one amendment before the House—that of the honorable member for Auckland City West; and he knew of no rule which prevented a portion of an original motion being omitted. The amendment of the honorable member for Auckland City West was therefore in order.

Mr. SHEEHAN thought, as they were abolishing the provinces, honorable members should no longer talk of so many members from one pro-

vince and so many from another being appointed to a Committee. They all represented the whole colony now. He thought the honorable member for Timaru could not have meant that Sir G. Grey should be appointed to the Public Accounts Committee for one special purpose only. Sir G. Grey would certainly be demeaning himself if he accepted a nomination to the Committee under such circumstances, and would be forgetting his position in the House if he were appointed to the Committee merely for one purpose, and, when that was accomplished, had to clear out. If those were the terms of the nomination, he hoped the honorable gentleman would reject them. He believed himself in concessions, and thought the Government had acted with fairness in expressing an opinion that the honorable member for Auckland City East should be added to the Committee. That honorable member ought to be placed on the Committee. Whether rightly or wrongly, many statements had been made with reference to finance which still remained unsettled, and many misapprehensions might be removed by adding Mr. Rees to the Committee. That honorable member might then learn that he was wrong in his opinions, or he might be able to show the other members of the Committee that they were wrong. He bowed to Mr. Speaker's ruling that the amendment of the honorable member for the Thames could not be put; but the amendment for the addition of the name of that honorable member himself might no doubt be put. The question decided on a previous day was, that a special Committee should not be appointed to inquire into this matter, but that it should be referred to the Public Accounts Committee. He would therefore, if necessary, move the addition of words in the motion which would carry out the wishes of the honorable member for the Thames.

Mr. SPEAKER said the Public Accounts Committee had power to call for persons, papers, and accounts, and to report in the fullest possible manner to the House, when, if the House was not satisfied, the report could be referred back to the Committee for reconsideration.

Mr. REYNOLDS trusted the House would not agree to the amendment of the honorable member for Auckland City West. It must be evident that it was taking advantage of a notice of motion on the Paper which was never intended to be dealt with in that way. The honorable member for Timaru, in his motion, desired that the honorable member for the Thames should be placed on the Committee for a special purpose in connection with one particular question, and in order that he might satisfy himself upon it.

Sir G. GREY did not choose to have it said that the object with which he went on that Committee was to satisfy himself. He absolutely denied that such was the case.

Mr. REYNOLDS would withdraw the words. The intention of the motion made by the honorable member for Timaru was very clear. He did not think it would be at all advisable for the House to allow a resolution to be so twisted and changed as to alter its form altogether, and they would be doing that if they struck out those

words. It was all very well for honorable gentleman to say that this should not be a question as to whether members from one province or from another should be on the Committee. He quite agreed with that; but still the honorable member had made a very strong point of that when the question came up for consideration on a previous occasion. On that occasion, in consequence of the representations made by honorable members from Auckland, he tendered his resignation of his seat on the Committee. He had done so in order that another Auckland member should be put upon the Committee. He did not want to be on the Committee himself; but it would appear very strange if, after an Auckland member had been elected to fill his place on the Committee, another one were to be added to it without making provision for additional members from other provinces.

Mr. WHITAKER would, as soon as he had an opportunity, move as follows, in order to get rid of the difficulty:—"That the decision of the House of the 21st June last, that Mr. Rees's name be not added to the Committee on Public Accounts, be rescinded: that the names of the Hon. Mr. Reynolds and Mr. Rees be added to the Committee on Public Accounts."

Mr. FISHER hoped that this discussion would not be carried on any longer, as it was not one of a very important nature. If honorable members were to be kept discussing motions of this sort, they would be sitting until three or four o'clock every morning.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	2
Noes	...	...	...	...	48
Majority against ...					—

AYES.

Tellers.

Mr. Reynolds,

Mr. Sheehan.

NOES.

Major Atkinson,
Mr. Baigent,
Mr. Bowen,
Mr. J. C. Brown,
Mr. Bunny,
Mr. Burns,
Mr. Button,
Mr. Carrington,
Mr. Curtis,
Mr. De Lautour,
Sir B. Douglas,
Mr. Fisher,
Mr. Gibbs,
Mr. Hamlin,
Mr. Harper,
Mr. Hialop,
Mr. Hunter,
Mr. Kennedy,
Captain Kenny,
Mr. Larnach,
Mr. Lumaden,
Mr. Lusk,

Mr. Macfarlane,
Mr. G. McLean,
Mr. Montgomery,
Mr. Murray,
Mr. Murray-Aynsley,
Mr. Nabe,
Mr. O'Rorke,
Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Stafford,
Mr. Swanson,
Mr. Takamoana,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Tole,
Mr. Whitaker,
Mr. W. Wood.

Tellers.

Mr. Dignan,
Mr. Rees.

The amendment was consequently agreed to.

It having been found that there was no second teller for the "Noes," Mr. SHEEHAN stated that he would tell with the honorable member for Port Chalmers, in order that a division might be taken.

The motion as amended was then agreed to.

PRESS TELEGRAMS.

Mr. WHITAKER, in moving the motion standing in his name, said it would be in the recollection of honorable members that, a few days previously, when speaking to a motion on the subject of Press telegrams, he pointed out that the evening newspapers were not unfairly used, because they had the same privilege of sending telegrams at reduced rates between five o'clock in the afternoon and eight o'clock in the evening as the morning papers. In addition to that, the evening papers had the privilege of receiving 200 words in the course of the day; and if that privilege were taken away by putting all papers on the same footing, as the resolution passed required, it would be the evening papers that would suffer. The Government were desirous of affording every facility to the evening papers to enable them to receive news consistent with what was due to the public and to the revenue of the colony. He would not speak at any length on the subject, because he did not anticipate that there would be any objection to the motion he was about to propose. He had placed on the Committee several gentlemen who were connected with newspapers, and he thought it would be a suitable Committee to make this inquiry.

Motion made, and question put, "That a Select Committee be appointed to inquire and report to the House what facilities can be given to newspapers for the use of the telegraph, consistently with a due regard to its use by the public, and without entailing an undue loss of revenue; such Committee to consist of Mr. Ballance, Mr. Barff, Mr. Joyce, Mr. De Lautour, Mr. Macfarlane, Mr. Montgomery, Mr. Reid, Hon. Mr. Reynolds, Mr. Stevens, Mr. Swanson, and the mover; with power to call for persons and papers; five to be a quorum; and to report within fourteen days."—(Mr. Whitaker.)

Motion agreed to.

ALEXANDER STITT.

Mr. CURTIS, in moving the motion standing in his name, said the petitioner was a contractor under the Government for the execution of certain road works in the Buller Valley. When those works were completed, or, at all events, on the eve of completion, a very heavy slip occurred, which put the contractor to a large amount of additional expense, which he estimated at £2,400. It appeared that the Engineer-in-Chief was in the district at the time, and the contractor saw him, and asked him for some allowance to be made on account of this disaster. There was some discrepancy between the statements of the petitioner and the Engineer-in-Chief as to the nature of what passed at this interview. However, the discrepancy, after all, was not an important one. The petitioner stated that the

Engineer-in-Chief admitted he had a just claim on the Government, and said that he would instruct the District Engineer to examine the ground, and estimate the amount he was entitled to claim as compensation. The Engineer-in-Chief stated that he did not recognize the claim as a just one, but that he thought it was one which might be submitted to the consideration of the Government; and he would instruct the District Engineer to say what amount of damage had been done, for the guidance of the Government in considering the question. At all events, the District Engineer did examine the ground, and recommended that £800 should be paid to the contractor to meet the expense to which he had been put. The Petitions Committee, after hearing a good deal of evidence on the subject, came to the conclusion that £800 was justly due in the way of compensation. He might say that the Committee came to this conclusion unanimously; and further than that, they came to it upon the bare statement of the petitioner, unsupported by the evidence on his own part, and after hearing merely the evidence of the officers of the Public Works Department. Therefore he thought there were good grounds for thinking that the case of the petitioner was a very strong one. He hoped the Government would be prepared to save the House further trouble by stating that they would place the amount on the supplementary estimates, and he would then very gladly ask leave to withdraw the motion.

Motion made, and question proposed, "That this House will, on Thursday next, resolve itself into a Committee of the whole, to consider of an address to His Excellency the Governor, praying that he will cause to be placed upon the Supplementary Estimates the sum of £800, in order to carry out the recommendation of the Public Petitions Committee contained in their report upon the petition of Alexander Stitt."—(Mr. Curtis.)

Mr. TOLLE wished to correct a misstatement made by the honorable gentleman, who said that the Committee came to a unanimous conclusion upon the bare statement of the petitioner. He thought he was right in saying that there was a recommendation made by the District Engineer that the petitioner should receive £800. It was mainly upon the recommendation of that officer that the Committee came to their decision.

Mr. RICHARDSON was not going to oppose the resolution for going into Committee, but he wished to intimate that the Government intended to oppose the vote in Committee. He did not oppose the resolution now, because there would be a much better opportunity of discussing a matter of this sort in Committee. With regard to the statement as to what took place at the interview, the Engineer-in-Chief distinctly stated that what he then said was that the subject was a fit one for the consideration of the Government, and that he would direct the District Officer to report. The District Engineer, Mr. Dobson, reported upon the matter, and said,—

"During the progress of the work, I informed the contractor that I considered clause 6, General Conditions, Form E. No. 2, debarred him from any claim; but as I understood from you that

in extraordinary cases the Government do not strictly enforce that clause, I forward his letter with favourable comment."

"I have carefully examined the whole question, and consider it would be reasonable to allow the contractor £800 as being the fair cost of work executed which could not possibly have been foreseen, and which was entirely caused by slips from the hill destroying the road."

Now, the view taken by the Government was that, when a tenderer undertook to make road-works and to deliver them over in a finished state, he was bound to take all those risks. If that rule was not enforced, he did not know where the claims would stop. There was a possibility—although he did not say it was the case—that another contractor who tendered might have taken a better view of the case, and allowed a large amount for the danger of such a loss.

Mr. KELLY did not think the petitioner in this case had any legal claim against the Government. After reading the report and recommendation of the local Engineer, who had full knowledge of the circumstances of the case, the Petitions Committee arrived at the conclusion that the petitioner was entitled to £800, because the slips were of an extraordinary character, and could not be fairly calculated upon when the tenders were sent in. It appeared that about £1,600 was the cost to the contractor of removing the slips. Still, it must be admitted that the payment of this claim might possibly open the door to much larger claims.

Mr. BUTON would support the claim, because he believed it was a good equitable claim. He believed the petitioner had no legal claim against the Government, but he certainly had a very strong moral claim. The Committee, he thought, did well in making this recommendation. He understood this was not the case of an ordinary slip occurring; but the nature of the ground was quite different from what was anticipated, and the batter allowed in the specifications was not adapted to the ground. It was not an ordinary incident that might have been foreseen. The contractor had carried out the work according to the specifications, and he believed the petitioner had been ruined, or nearly so, by the accident. Under the circumstances, he thought the amount recommended was a very moderate sum. He did not know that the Government should always adhere to the very letter of their contracts, and draw the line so very tight. There were cases, such as this one, in which they might allow the contractor to petition, when the House could investigate the facts, and decide whether the case was an extraordinary one. He felt inclined to support the motion now before the House.

Motion agreed to.

INSPECTOR OF PRISONS.

Mr. BURNS, in moving the motion standing in name, said he had placed it on the Order Paper in consequence of the reply he received on the previous day from the Minister of Justice. He did not wish the Government to imagine for a moment that he was finding fault with what had

been done, because, as the Minister of Justice had stated, they had only carried out the wishes of the House. But the House this session had come to the conclusion that there was to be no central prison built this year, at all events; and he thought that, under these circumstances, such an officer could be dispensed with, at least for this year. If his memory served him, the Minister of Justice said no reply had as yet been received from the Home country to the applications for such an officer, and he wished at the earliest possible moment to enable the House to retrace its steps, and that, if no officer had been appointed, the appointment should be at once cancelled. The only way of doing that now would be by sending a cablegram to England. If the officer was appointed, he supposed there was no help for it; but if he were not appointed, he thought, at all events, the appointment should be delayed until next session. There was another feature in the case. If an officer of this kind was necessary at all, why should they go to the Home country to get him? Surely there were officers in this country who were competent to fill such a position. And while upon this subject, he felt bound to say that there were other countries in the world where the prison discipline was perhaps better than that of the old country. He was quite sure the prison discipline of Victoria and the management of its gaols were very much superior to the discipline and management of the old country; and they could find officers of their own who could satisfy all the requirements of the position. The time had arrived when in all the branches of the public service a reasonable hope of promotion should be held out. It was not fair to an officer who had been a number of years in the service, and was capable of filling a higher position, that he should find an outsider placed over his head. He knew nothing of the gaol officials in other parts of the colony, but he knew of one gaoler who had done his duty remarkably well; nay, more, he was in the proud position of saying that the gaol of which he had charge was the only gaol in the colony that was self-supporting. Another matter which he might mention to the credit of this officer was, that he took charge of some Maori rebel prisoners at a time when it was almost impossible to get any gaoler to take charge of them. Not only that, but he took charge of a number of prisoners, convicted of serious crimes, whose safe keeping was considered a matter of great doubt. His whole career, during the time he had had charge of the gaol, had been thoroughly satisfactory, and it was recognized that his management was a credit to the whole colony. There might be other officers equal to him, or perhaps superior—he was not going to cast a slur upon any of them; but it was rather hard to find that an officer who bore such a high character should be denied the opportunity of promotion. If an Inspector of Prisons were required—he very much doubted it—the appointment should be made from amongst their own officers. In the meantime, he hoped the House would agree that a telegram should be sent, without the least delay, stopping the appointment of any officer in England.

Motion made, and question proposed, "That Government be requested to transmit a cablegram to Great Britain without any delay, cancelling the appointment, or promised appointment, of any person to the office of Inspector-General of Prisons."—(*Mr. Burns.*)

Mr. BOWEN said there were two questions involved in the honorable gentleman's motion—first, as to whether there should be an Inspector of Prisons; and second, as to whether he should be selected in England. He hoped the House would pay great attention to the matter, and act dispassionately, and altogether apart from mere local or temporary considerations. It was quite true, as stated by the honorable gentleman, that the House had thought fit to postpone the erection of a central prison, thereby postponing for some time the only real means of classifying the prisoners of the colony, and the only real means of carrying out the sentence of penal servitude which was already provided for by our Statutes. He did not wish to recur to that now; still, he wished to point out that, important as it was, that the management and classification of the prisoners in our gaols should be uniform, and carried out with skill and special knowledge; it was equally important that such gaols as we had should be classified, in order to adapt them for the work they had to do. The subject had been under consideration in England lately, and a Prisons Bill was brought in to make the system of prison management uniform throughout that country. Hitherto the management had been in the hands of the different boroughs and counties, and when the Bill was first introduced into Parliament it met with considerable opposition through the action of some of the county Justices. The Bill was postponed for three weeks to test the feeling of the country on the subject. The Magistrates of the Quarter Sessions met all over the country, and the almost unanimous verdict was that the Prisons Bill was absolutely necessary. The Chief Justice of England, a man known as one of the ablest Judges we ever had, went so far as to say from the bench, that although he seldom alluded to any matter that was under the consideration of the Legislature, he felt it his duty to say that if the Prison Bill were thrown out it would be a great disaster to the country, because without uniformity of management in the gaols no Judge knew what sentence he was passing on a prisoner. They knew very well that in New Zealand, owing to the multifarious methods of managing the gaols, there was nothing like uniformity. It was also very well known to those interested in the matter that the Visiting Justices took very different views upon the question of prison management. Not only was the classification very different, but the indulgence given to prisoners was very different, so much so that no Judge knew what sentence he was passing when he sentenced a prisoner. If the warning of the Chief Justice of England were necessary as to the management of gaols at Home, how much more necessary must it be here! It was therefore imperative—more imperative now than there was to be no central prison—that there should be a

skilled Inspector whose duty it would be to see that the regulations were uniformly carried out throughout the country, and the prisoners properly classified. In addition, he would have to classify the gaols themselves; and thus a Judge, in sentencing a prisoner to penal servitude, would know the exact nature of the punishment he inflicted. As to whether the Inspector should be selected in England or from amongst the prison officials of the colony, he quite agreed with the honorable member for Roslyn that it was advisable, wherever they could, to select men who were already in the service of the country, provided they possessed the necessary ability; but the honorable gentleman must know that prison discipline had undergone great improvement of late years, and had been the subject of considerable discussion. Congresses of men interested in the question of gaol management from all parts of Europe and America had been held, and the improvements initiated by Sir Walter Crofton had so far been deemed of the greatest benefit to the country. Many improvements had been adopted of late years, amongst them the "mark" system, which had been very successful; and there were no men in the colony who knew anything of the practical working of those systems. He was aware that many honorable gentlemen did not lay the same stress upon classification as he did. They knew little of the absolute inhumanity and of the wrongs done by want of classification; but if they devoted a little attention to the subject, they would see that he did not exaggerate the importance of uniformity and classification. The honorable gentleman had made special reference to one particular officer in Dunedin. As far as he had been able to judge, and from what he had heard, the officer alluded to was a very useful officer; but at the same time he thought the honorable gentleman would admit that it was very wrong indeed that a constant agitation should be made in favour of one particular officer, and that constant pressure should be put upon the Government in favour of the appointment of a particular individual to a particular office. He had had the claims of this officer pressed on his attention for the last two years. It was true he was a good officer, but there were other good gaolers in New Zealand: in fact, the gaolers, as a rule, considering the very poor means they had at their disposal, had done their work exceedingly well, and he would be very glad, when any opportunity occurred, to recognize these services. But he felt bound to say that he knew of no man in New Zealand at the present time who was competent to take the position of organizing Inspector. He confessed that the Government felt very considerable responsibility in regard to the management of the gaols, and he did not see how, otherwise than in the manner adopted by the House last year, and in accordance with which steps had been taken, the work could be done properly and efficiently. Under the present system, they were merely breeding criminals, by mixing up young and old offenders; for, as he had said many times before, the gaols at present were a species of purgatory to the young offender, while they were a comparative paradise to the old offender. He

hoped the House would pause before it agreed to such a resolution, because he did not see how it was possible, with the very limited means at the disposal of the colony, to properly manage the gaols. It was essential that such an officer should be appointed. As to what had been done, he might say that instructions were sent to the Agent-General to put himself in communication with Judge Richmond, who was now in England, and with Mr. Ducane, the Inspector-General of Prisons, and to request that an officer should be selected—a man of education, a man who was not merely acquainted with all the best systems of gaol discipline in the old country, but a man who had enough of adaptability to meet the circumstances of a new country. And in such a matter the Government felt great confidence in the experience of Judge Richmond, which must be of great value in the matter. They received a letter in April last, stating that the Agent-General had postponed the selection of the officer until Judge Richmond's return from the Continent, because he was anxious to get that gentleman's advice. As honorable gentlemen were aware, communication on the subject was interrupted by the lamented death of the Agent-General; but it was one of the first subjects which would engage the attention of the office as soon as Judge Richmond had returned to London. He sincerely hoped the House would look carefully into the matter, and deal with it altogether apart from any local, or temporary, or party considerations.

Mr. CURTIS hoped the House would not interfere with the action the Government had taken in this matter. It was necessary to have an officer thoroughly skilled in the best mode of treating, and especially classifying criminals. He quite agreed with the Minister of Justice that this was more particularly necessary since the decision the House had arrived at recently. In regard to the particular officer who had been referred to as being specially fitted for this office, he had always heard a very good account of him; but he had chiefly heard his name mentioned in connection with the management of the prison at Dunedin, and the manner in which he had succeeded in making that institution self-supporting. However, upon that point he had some little experience, and he was not quite prepared to indorse all that appeared in the reports of that officer on the subject of the gaol at Dunedin. Some time since he had occasion to send some prisoners from the gaol at Nelson, owing to the smallness of the building, to the gaol at Dunedin. He was a good deal surprised, some year or two afterwards, at receiving an account forwarded by the Superintendent of Otago for the maintenance of those prisoners at a tolerably heavy figure. He replied that he was very much surprised to receive the account, because he understood that the gaol at Dunedin was altogether self-supporting, or rather more than self-supporting, and, in fact, he had been in hopes of receiving some small sum as the surplus value of the labour of those prisoners over the cost of the maintenance. He received from the Superintendent of Otago a very long letter of explanation, the nature of which he now

forgot; but of course it was more or less satisfactory, and it did seem, according to the statement the honorable gentleman then sent him, that there was some expense in maintaining the prisoners at the Dunedin Gaol, notwithstanding the character of the reports referred to. He had no doubt whatever that the keeper of the gaol at Dunedin was a very excellent officer indeed: still, he quite agreed with the Minister of Justice that it was of very great importance that a man should be appointed who was thoroughly acquainted with the latest methods of dealing with criminals and the management of gaols. It would be more especially unfortunate to interfere with the action of the Government, seeing that Judge Richmond, a gentleman on whom they all placed such very strong reliance, had been engaged in selecting an officer.

Mr. REYNOLDS trusted the House would not interfere with the arrangements made by the Government. It might have been very well last session to have given instructions to the Government to secure a suitable person in the colony; but it was then stated that the Government would appoint a gentleman from Home to undertake these duties, and the House indorsed that. Now that instructions had been given for the appointment of the officer, it was not right for honorable members to throw obstacles in the way of the Government, in carrying out the wishes of the House last session. The honorable member for Roslyn referred to Mr. Caldwell, the Gaoler at Dunedin, as fitted for the office. He was quite prepared to admit that Mr. Caldwell was a very able man, and that he was the right man in the right place in the position where he was. He was a good gaoler, and he did not know a better in the colony. But, even supposing he were qualified to hold the office of Inspector-General of Prisons, his claim would be inadmissible after what had taken place to his own knowledge. The Otago members had taken up Mr. Caldwell's case and urged it to such an extent that it would be impolitic for the Government to appoint him under such circumstances. A great amount of pressure had been brought upon the Government, not only by members from Otago, but by parties outside the House, in order to secure Mr. Caldwell the appointment. He learnt from telegrams that Mr. Caldwell had sent up a telegram to the Superintendent of Otago asking him to bring forward a grievance which he thought he had against him (Mr. Reynolds) personally. The telegram stated he had been the means of preventing Mr. Caldwell from being appointed to this office. This he would deny *in toto*; and he could appeal to Ministers, whether he had anything to do with prejudicing them against appointing Mr. Caldwell. He had always said that he was a very good gaoler; still he had never urged his appointment as Inspector. The instructions sent Home were forwarded after he left the Government, and he had no more to do with them than the honorable member for Roslyn had. He had not thought it worth his while previously to contradict those statements, but was waiting until the Superintendent of Otago made an attack upon him with reference to the subject. While admitting that Mr. Caldwell was a good

gaoler, and well adapted for the position he held, he would now state, and this for the first time, that he thought it would be a mistake for the Government to appoint him to the highly responsible position of Inspector of Gaols for the colony.

Mr. ROLLESTON would, for his own part, give the Government a decided support. It was known to the Government that for a long time past he had urged upon them the appointment of inspectors of gaols, of lunatic asylums, and of surveys, for he believed large sums of money had been lost because men like himself, who were engaged in administration, had not the knowledge of modern systems and modern appliances, which would have enabled them to deal properly with questions of this kind. Almost everything in a gaol or lunatic asylum depended upon proper appliances, and good methods of construction, and there was no doubt they could not expect, unless they brought people from Home, to understand the modern system of constructing gaol and asylum buildings according to the most improved methods. With regard to gaols, he would like to learn from the Government whether they were going to let another year pass without more thoroughly organizing the local gaols. Particular mention had been made of the Wellington Gaol. He did not say that that gaol was badly managed. Far from it; for he believed that, considering the available appliances, it was exceedingly well managed; but there was no doubt that additional room was needed. A great wrong would be done if the Government did not make provision for increasing the gaols, after having prevented the provinces from doing so, for the provinces would have been bound to do so.

Mr. BOWEN said the Wellington Gaol was being added to.

Mr. ROLLESTON was glad to hear it. He hoped the discussion would not last, because, the Government having stated that they intended to insist in their course, no good could come of a debate. He was very glad the Government had sent Home for an Inspector of Prisons, and he hoped they would do the same with regard to lunatic asylums. He was happy to think that the surveys were placed under a uniform system, and that there was a means for connecting, in accordance with a general plan, the detached surveys in the colony.

Mr. MURRAY thought the case in point was an illustration of the saying "That a prophet hath honor save in his own country." He did not know Mr. Caldwell personally, but he had heard of his "reports." Even in America Mr. Caldwell's experience had been commented on in the highest possible terms, and in Victoria also he was appreciated; but in New Zealand, the place where he was known, it was thought necessary by the Government to import an officer of whom they knew nothing. They had had enough of that system of believing that nothing in New Zealand could be satisfactory. Major Palmer had been imported to be Surveyor-General; but that was defeated by the action of the late member for Dunedin, Mr. Wales, who moved a resolution in the previous Parliament to the effect that they

should try to get a suitable officer in the colony. They had succeeded in getting a gentleman who would be very much more efficient than Major Palmer; and the House might just as well try to get an Inspector of Prisons from Otago as to get a Surveyor-General, and he believed the result would be equally satisfactory. The Government had also sent to India for a Conservator of Forests; but he really thought it was time, now that their difficulties were facing them, to get rid of this manufacturing appointments and importing gentlemen to control departments in the colony. He trusted they would not go beyond New Zealand without first trying if they could get efficient officers here.

Mr. BUTON did not think this was simply a question as to whether a certain gentleman was fit to perform the duties of gaoler, for the appointment the House was now discussing was of a very different class from that of a mere gaoler. If they had one central prison for the colony, and required it to be managed by a man of experience and judgment, and whose testimonials were influential, he did not doubt that the gentleman referred to would be the very best officer to appoint. They need not travel out of New Zealand to find such an officer. The Inspector of Prisons would be largely responsible for the initiation of the scheme the Government proposed to introduce, and he would require to be a person of experience. He had seen the testimonials which had been put into his hands with respect to Mr. Caldwell, and he found that that officer had great experience in these matters, and was eminently calculated to fill the office of gaoler in a central prison, however large it might be. But he contended that, unless Mr. Caldwell had gained experience of the present prison discipline in England, and had been able to see the most modern methods of treating and classifying prisoners, they must look elsewhere for such experience. He did not think they should look out of New Zealand if they could find a suitable man in it, and he did not think the Government would do so. The matter should be left in the hands of the Government, and he was sure that, all other things being equal, they would rather appoint a colonist than bring any one out from England. He had no doubt that, if the Government found it necessary to go beyond the limits of the colony for such an officer, they would take very good care that they got a *quid pro quo* for the salary they paid.

Mr. HISLOP thought the honorable member for Hokitika was trying to beg the question. If the intention of the Government had been that any person in the colony should have an equal chance with any one outside, he did not suppose that any one would have complained, but the Government had entirely overlooked the claims of persons in the colony fitted for this office, and had sent Home for some person. He thought the statements which had been made to the effect that Mr. Caldwell was not fit to hold this office were entirely erroneous. He had the pleasure of knowing that gentleman for a great number of years, and he had been the means of introducing to that officer various persons interested in gaol discipline, for the purpose of visiting the gaol, who

all expressed themselves pleased with what they saw. He could say that persons well acquainted with gaols at Home, and particularly Dr. Begg, of Edinburgh, were highly pleased with the manner in which that officer carried out the system of classification—so far as he could in Dunedin Gaol—and the manner in which the prison was managed. The Government, before sending Home for a person, ought to have made a statement as to whether they had inquired into the qualifications of the various officers of that department in the colony. The testimonials put into their hands with regard to Mr. Caldwell were not the full testimonials as to his capabilities; they were the testimonials recommending him for the position he was applying for at the time, and which position he had filled with great satisfaction to the country. He had come from very well regulated gaols in other colonies, where he had far greater means of classifying prisoners and carrying out gaol discipline. Notwithstanding the circumstances in which he was placed, he carried out the gaol system in Dunedin in a manner which had been generally looked upon as satisfactory. With regard to the question raised by the honorable member for Nelson City, the honorable gentleman did not seem to remember the peculiar circumstances connected with the prisoners sent to the Dunedin Gaol. One of the prisoners sent was imprisoned for murder: not only was he a most dangerous character, but he was also an invalid. He had been ill for a long time, and had to be attended by two surgeons. No doubt that swelled the charge made against the Nelson Province. He hoped the motion would be carried.

Mr. MACFARLANE said his principal objection to the appointment of an Inspector-General was that such an officer was not wanted. He might be wrong, but that was his opinion. He imagined that the gaols of the colony had been carried on very well, without the services of such a person. On one occasion an officer had been imported from New South Wales, who turned out a very great failure, and it might be so in this case. The office was not wanted at all; it would be similar to the Forests Department, or the other fancy departments which the Government were creating in this country. He thought any money at the disposal of the Government might be more beneficially expended than in importing an Inspector-General of Prisons.

Mr. DE LAUTOUR regretted that Mr. Caldwell's name should have been mentioned in this discussion—that his name should have been exposed and trampled on by honorable members of this House, who did not know his value. It was not a question as to the appointment of Mr. Caldwell to this office at all. The question was, were they justified, in the present position of the colony, in creating another department and sending Home for an officer at a salary of £1,000 a year, and also paying his passage to the colony? They would probably find themselves in this position, that the officer would be engaged at this salary for one year, and the next year the panic about finance would have so increased that the office would be wiped out.

Mr. BOWEN.—The salary is to be £600 a year.

Mr. DE LAUTOUR.—Has the honorable gentleman instructed the Agent-General not to pay more than £600?

Mr. BOWEN.—Yes.

Mr. DE LAUTOUR was afraid they could not secure and retain the services of an Inspector-General of Prisons, of sufficient ability, for such a salary; and so the first loss would be the only loss. With regard to what the honorable member for Nelson City had said, he did not think the honorable gentleman would obtain much sympathy in the House, because it was very obvious that Nelson had been carrying on sharp practice. It would appear that Nelson wanted Otago to keep the criminals sent from that province free of charge; but the Superintendent of Otago was not the man to put up with such a thing as that.

Mr. CURTIS might explain that the Superintendent of Otago could not be allowed to charge one penny more than the actual cost of maintenance of prisoners after deducting the value of their labour.

Mr. DE LAUTOUR quite admitted that; but there was no doubt an attempt had been made to have the prisoners kept without cost, otherwise no letter would have been sent from Nelson complaining of the charge for the maintenance of prisoners in the Dunedin Gaol. He hoped the House would agree to this motion, because the officer that might be engaged for a salary of £600 a year would merely be an officer of a county gaol, and the county gaols in England were not to be compared with some of the gaols in this colony. There were some model prisons at Home, but the officers connected with them were paid large salaries. The Government could only get an inferior officer from a central prison at such a salary as was mentioned.

Mr. BOWEN.—You are quite mistaken.

Mr. DE LAUTOUR might be mistaken, but they would know better next year whether he was mistaken or not. If it was not too late it would be desirable to incur a small expense in stopping the appointment of a person to the office of Inspector-General of Prisons.

Sir G. GREY trusted the Government would pause in the appointment they proposed to make. He thought it was a very unfortunate thing for New Zealand that the Minister of Justice had not more piercing eyes; he raised his vision so high that he overlooked things near him. It was only yesterday that the question arose of appointing a parliamentary draftsman, and the honorable gentleman stated that he could find no person qualified for that office in New Zealand. He (Sir G. Grey) declared that he knew several persons thoroughly qualified. He knew some young men who, if put into that office, would make a distinguished name for themselves, and greatly improve the statutes of New Zealand. The honorable gentleman could not discover them. They existed, and the honorable gentleman ought to discover them. Now, the honorable member told them that he could find no person in New Zealand qualified to fill the office of Inspector-General

of Prisons which the Government proposed to set up. He (Sir G. Grey) knew several persons in New Zealand fully qualified to fulfil the duties of such an office. The question connected with appointments being made in England was a much larger one than might at first be supposed. It was quite clear that, if they wished to give any opening to men in this country, or desired to induce men to come into the country, they should not discourage people living in their midst. There was nothing more detrimental to the development of character in a nation than the highest offices in that nation being closed against the inhabitants of the country. They had had several instances of this kind. A singular one has been named—namely, the importing of a person to fill the office of Inspector of State Forests. He could assure the House that in New Zealand there were at least three gentlemen eminently qualified to fill that office—two of them of great repute as botanists in countries far beyond New Zealand—men with names much greater in the world at large than that of the gentleman appointed—men qualified by study of the country, by botanical knowledge, by devotion to duty, by claims established in this country from services rendered by them. Their merits were overlooked in favour of a stranger possessing no qualifications at all to be compared to theirs, who was put into a great office of that kind. That was a great misfortune to them, and a great misfortune to the inhabitants of New Zealand generally, and it was a very unfair thing to the inhabitants of this colony. Then the case of the Surveyor-General was named. Now, none could deny that there were several gentlemen in New Zealand eminently qualified to fill the office of Surveyor-General. It was a mere chance that they got an inhabitant of New Zealand put into that office. He did not know where they were to stop such a system. He did not wish to use any words of flattery to the Speaker, but it was fortunate for them that he presided over their deliberations; he wondered that the honorable gentlemen did not send Home for a Speaker. He really did not know where this proceeding would stop. Formerly the custom of this country was that the youth of New Zealand were collected—promising young men—and put into offices in the public service, and allowed to develop themselves there, and they were raised to the highest offices in the country from time to time. In what respect did that fail? The leading members of the Civil Service at the present day all sprang from a proceeding of that kind and of that nature. He still hoped that the Government would determine fairly to select the officer who was to exercise a supervision over the gaols in this country from amongst the inhabitants of this country. He had not heard a single argument in favour of a different course being pursued; in fact, the whole proceeding of the Government in this respect appeared to him to be a great mistake. While there were men in New Zealand well qualified to fill this office, the Government were going to the expense of appointing a gentleman in England, who would certainly be inferior to those men he left behind him in that country, because the best men would not

come out to this colony for the amount of salary to be paid. They would be entailing considerable expense on the colony, and they would not get a better man for the office than if they made a selection from qualified men in this country. Whilst they were doing that in reference to England, at that end of the world they had a gentleman now acting as Agent-General, who was probably the best man in Her Majesty's dominions for filling that office—a gentleman who had rendered great services in New Zealand formerly in the field—a gentleman who had illustrated this country by pen and pencil—who had rendered great service to England in many capacities, whose ability was so recognized there that he was put into the highest office which his position in life enabled him to hold. That gentleman was to be turned out of the office of Agent-General, and another gentleman, certainly not superior to him, was to be sent Home at an expense which the House had not yet been able to get a proper account of. That was another proceeding of the same kind taken in a direction which he could not understand. At least, he could not get the reasons why it should be followed out. He would wish to point out that one excuse made by the Minister of Justice for the course he was pursuing was one which he could not understand. The honorable member complained that there was a very meritorious officer in this country, but that that officer had been continuously pressed upon his notice for many months past, and the honorable gentleman complained of that as a grievance. But surely, too much pressure had nothing to do with the question. If the person were fit for the appointment, too much pressure by his supporters should not be a bar to his receiving it. He did not mean to say that this particular gentleman should be selected, but some person in the colony should have the first chance of obtaining the appointment, and that such a person could be obtained he was satisfied from his knowledge of the inhabitants of the country. He trusted the House would not allow such an evil to be inflicted upon New Zealand as that prize offices should be given to foreigners brought in for the purpose. He spoke of them as foreigners because they were unknown to the people of the country. If such a course were pursued it would shut out all expectation from those who by their past services to the country had a claim to fill those vacancies which fortune might present. He would certainly support the motion of the honorable member for Roslyn.

Mr. SHEEHAN was sorry that the name of Mr. Caldwell had been dragged into this debate. He understood the Superintendent of Nelson had some complaint against that gentleman, arising out of something connected with the transfer of prisoners from Nelson to Otago. But honorable gentlemen well knew the crafty and cunning tendencies of the people of Nelson, and could easily imagine how the unsophisticated people of Otago might be taken in by them, and he had no doubt the people of Nelson came best out of this transaction. He intended to support this motion, not because he was a member of the Opposition,

but because both sides of the House admitted that the present was a somewhat critical period in the finances of the colony. It was therefore not a time for the creation of new offices, or for incurring fresh expenditure. If it could be shown that it was a case of emergency to appoint this officer at once, he would go with the Government; but no such emergency existed. The House had already put off the consideration of a central penal establishment to next session, and he contended that in the meantime the Visiting Justices and present machinery would be sufficient during the recess. As the two questions were somewhat analogous, the Government would do well to postpone this question also till next session. He also considered that the appointment of an Inspector would only be preliminary to the appointment of many other new officers. The House had an instance of this sort of thing on the previous evening, when it passed the vote for the Inspector of Stores' Department. When that officer was first appointed, it was stated he would do all the work; that he would himself go round the colony and inspect all the stores. But now there was not only an Inspector of Stores but also an inspecting officer, a chief clerk, four other clerks, railway store clerk, and extra clerical assistance, causing the colony an expense of £2,300 a year. It would be found in the same way that in twelve months from the appointment of an Inspector of Prisons there would be clerks and a number of other officers to assist him, and a regular department would be established. On the other part of the subject, he held that if this officer were to be appointed, the Government should first satisfy themselves that there was no suitable person in the colony to take the office before they sent Home for one. Let them first look amongst those who had cast their lot in with the colony. What hopes were there for good men to come to the colony if, when such appointments as this were to be made, the Government sent Home for the person to fill it? It was, to his mind, a mistake to pass over men of experience in the colony and go to England for them. He contended that England was not so superior to New Zealand as some persons appeared to imagine in the management of gaols. They had by no means arrived at the best system in many parts of England; whereas there was in one or two places in New Zealand as good a system of prison discipline as could be found anywhere. It was unfair to pass over men who had come out here and spent the best years of their lives in developing the colony, and to go to England for an officer for this appointment. It was a pity Mr. Caldwell's name had been dragged in; but, as it had been, he would say that in the central prison in Auckland, the surrounding walls of which were wood, great difficulty had been experienced in keeping prisoners in. Many had escaped, and an arrangement had been made by the Superintendent of Auckland with the Superintendent of Otago to transfer some of the more dangerous to the prison at Dunedin. There they were kept safely, and at a cost no greater than if they had been kept in Auckland. That was an answer to the complaint of the Superintendent of Nelson.

The Government ought to let this matter stand over for the present, consider it during the recess, and, if they found it necessary to make the appointment, select some one in the colony to fill the office, if they could find any one competent to do so.

Mr. HARPER said that most honorable members who had addressed the House seemed to be ignorant of the subject on which they were talking. He did not profess himself to have any special knowledge of it; but the few remarks which had fallen from the Minister of Justice and the honorable member for Aron, who had evidently carefully studied the subject, led him to the conclusion that some of the remarks of those who opposed this appointment betrayed the ignorance of the speakers. The honorable member who had last addressed the House stated that no emergency existed at the present moment for this appointment. Possibly it was so, and therefore the honorable member proposed that the question should be adjourned for another twelve months. The speech of the Minister of Justice, however, showed that the evil was growing rapidly, and, unless some system of classification of prisoners were adopted, serious consequences would result. If that were the case, the evil should be checked at once. It would take fully twelve months to obtain this officer and enable him to organize his work; and if the appointment were postponed for that time, the prison discipline would remain in its present unsatisfactory state. This was one of those cases in which the economy of which honorable members spoke so much would be found very expensive. It would be far better to spend some little money now and get a good officer—a man who knew something of the new appliances of the large prisons at Home, and whose knowledge of how to use those appliances would, he believed, save the colony afterwards a considerable amount of expense. The House had heard, from the honorable member for Aron, what he had found it necessary to do in the administration of the prison in Canterbury. That honorable gentleman had found it necessary to take a course similar to that proposed by the Government, because he could not find a good man in the place. The person who was brought out from England had saved the province money, by bringing to the assistance of his fellow-officers those new appliances which, although well known in England, had not previously reached New Zealand, and were not likely to be known here except through the introduction of new blood. As he had already said, this was just one of those cases in which economy now would lead the colony to great expense hereafter. The subject was of too serious a character to be passed over as one of those which, in the present state of the finances, should be put off for a time. It was one of the most serious questions that could be brought before the House. Even if good officers could be found in New Zealand, the House must remember that if one of them was appointed to this office he would be taken away from his present work, and somebody else would have to be found to put in his place. Consequently, if an officer were brought from

England it would only be adding a fresh officer to those already in the colony, and not one too many, for they would all find plenty of work to do. He could not therefore support the motion.

Mr. HUNTER thought those who had spoken in support of this motion did not quite understand the position in which the colony would soon be in regard to these gaols. As he understood it, the Government would, under the new system, take upon themselves the control of all the gaols in the colony. The House had this session thought it proper to decree that in the meantime there should not be a large central penal establishment. The Government could, however, usefully employ this officer, and arrange for the classification of prisoners by sending him round the colony. When a uniform system was established throughout the colony, a Judge passing sentence upon a prisoner could send him to the prison in which it would be best to place him. The system would be very much improved if some person were appointed to control all the gaols throughout the colony, because then measures could be taken for removing prisoners from one place to another as was thought advisable, and the expense would not be much. Some reference had been made that day and on the previous evening to the resolution passed last session in favour of sending to England for some person specially qualified to draft Bills. At the time that matter was discussed, the Government said it was not likely that the services of a proper person could be obtained in the colony for the salary that was offered. It was a particular profession in England; and, as no persons in the colony devoted themselves to it solely, he thought it would be impossible to get a duly-qualified officer without going to England. However, he considered that in such a matter as that the Government should be allowed to exercise their own discretion. With regard to the question immediately under consideration, he held the same opinion—namely, that the Government should use their own discretion as to whether they sent out of the colony for an Inspector of Prisons or not. They had, he believed, a very good and efficient gaoler in the city of Wellington; but he would not presume for one moment to say that that officer was a proper person to appoint to the position of Inspector of Prisons. They required a man of very large experience for that office. The Minister of Justice had referred to the Prisons Bill, which had been introduced in England lately. It had been ascertained, while that Bill was under consideration, that the cost of some gaols was twice as much as that of others, simply owing to the manner in which they were administered. He did not think there was a person in the colony who would be competent to fill such a position as that of Inspector of Prisons for the colony. Holding those views, he would feel it his duty to vote against the motion; and he thought the Government would be wise in following up their action, so that they might be able to get some person from England who would be able to effect an improvement which was very much wanted in the system

of gaol management. The present system was unjust both to the public and to the criminals. There were no means of classification whatever, and even those who were disposed to mend their ways, while in gaol had not an opportunity afforded them of keeping themselves separate from those who were bolder in crime than themselves. With regard to the Wellington Gaol, he might say that a division of the prisoners was made there already; but before it could be called a proper system of classification, there would have to be considerable additions made to the building.

Mr. HENRY said the only objection he had to this appointment was on account of the salary that was put down on the estimates for the person who was to fill the position. To secure a proper officer they should offer a much higher salary—in fact, it should be at least £1,000 a year. They should either have a suitable officer or none at all; and £1,000 a year was little for a person holding such a position. He had had some experience in relation to prisons, and knew that it required a great deal of care and attention to institute a proper system of classification.

Mr. LUMSDEN was rather surprised at what had fallen from the honorable member for Roslyn. He certainly thought the colony had arrived at that stage when it should be able to cope with its own prison management. He believed that in Otago the gaol had been very successfully worked, and he could not see why it was necessary to go outside the colony for an Inspector of Prisons. He believed there were some very able persons now superintending our prisons; and he thought it would be well if the talent which was already in the colony could be made available when they had such a position as this to bestow. He thought the introduction of a stranger as Inspector of Prisons would not have a good effect on prison management generally throughout the colony. The classification of prisoners could only be obtained by the extension of the present prison buildings; but that was a question totally separate from that of having a fresh Inspector to take charge of all the gaols. He had no doubt that the gentleman who had been named as being an efficient officer in Otago would, if proper accommodation were placed at his disposal, be able to initiate a proper system of classification. He had a great objection to the continual creation of new offices. One of the greatest evils in connection with the Immigration and Public Works policy had been the creation of new offices, arising, as it appeared, out of the simple desire to spend money as fast as it was borrowed. But that would come to an end, and those who had introduced the measure would then become very unpopular. It would be better for them to take Time by the fore-lock, and endeavour to reduce the expenditure as far as possible. They should begin to retrench at once; and they could not make a better beginning than by striking this office of Inspector of Prisons out altogether, so far, at least, as sending to England for an Inspector was concerned, but rather making use of the talent that was already in the colony.

Mr. CARRINGTON would say a few words

on this question, if only for the purpose of showing the inconsistency of honorable members of the House. Session after session they had been calling upon the Government to establish a central prison; but no sooner had Ministers taken steps to do so than they met with opposition on all sides. Then, as to the question of classifying prisoners. Persons might be sentenced to terms of imprisonment in Auckland and Otago, and one of them would have to do ten times as much work as the other; because in different places the work to be done by convicts was very different. Until there was some system of classification, there could be no equality in the quantity of work done by prisoners in different places.

Mr. SWANSON thought that if that was the only difficulty, it could be easily got over. The Minister of Justice could easily find out where the most work was done, and they could choose the gaoler who got the most work out of the prisoners for the position of Inspector of Prisons. Such a man would be the best for the country and for the prisoners too. The great fault was this: that prisoners was sentenced to so much time, instead of so much labour. He would like to see the prisoners sentenced to do a certain amount of labour. If men were compelled to work hard during their term of imprisonment, they would go out of gaol in much better fettle than they did at present, and would be in a much better position to earn their own livelihood. It was not a man's short hair that prevented him from getting employment after he left gaol, but the fact that he had been away from hard work for such a length of time that his hands would get blistered whenever he attempted to do anything, and therefore he was practically useless to an employer. They could quite understand what sending Home for an Inspector of Prisons meant. They wanted to get a man of good education—a man who would give a tone to society: one of the kid-glove class. If this motion were not carried, and the Government brought a person out from England to act as Inspector of Prisons, the whole of the gaolers in the colony would become his servants. He could easily conceive that such a person, after he had been in the colony for a while, would desire to provide billets for his friends at Home. It was all very well to help one's friends, but he would tell the House what that sort of thing would result in. There would be a complete department formed, and the Inspector of Prisons would be allowed enormous travelling expenses; and what would happen when they got him out here? Why, he would have no experience at all which would be of use to the Colony of New Zealand. The gaols at Home were like great castles, and not at all like the prisons here, and he would be all abroad for a time at least. He would, so to speak, have to get his education here. In his (Mr. Swanson's) opinion, this was not the time to lay the foundation of what would inevitably become a costly department. He had heard a good deal about classification, and he should like to know what this classification meant. Did they want to classify prisoners according to their ages, their crimes, their

sentences, or their physical strength? He apprehended that those things would have to be taken into account. Two men, say, had been guilty of a theft, and were sentenced to exactly the same term of imprisonment. There might be an enormous difference in their physical strength; but some plan should be devised by which they could be put to work in such a way that their work would be profitable to the country. He hoped the House would not allow a man to be imported from England to act as Inspector of Prisons. He believed it had been agreed by the House that before they looked abroad for a servant, they should see whether they had not got the man they wanted in the colony. He would ask the Minister of Justice what inquiries had been made by the Government within the colony. Had they inquired whether there was a gentleman at the present time in the colony who was fitted for the position of Inspector of Prisons? He had never heard of any inquiries of that sort having been made. Had the Government inquired, for instance, not only amongst the gaolers but outside of them? Had they offered a prize for the best essay on prison management, with a view to economizing prisoners' labour? It was only fair and right that the House should expect that the Government had made the necessary inquiries in the colony before they sent Home for a man to fill the position. There was one point more to which he wished to refer. He happened to be for three or four months on a prison inquiry in Auckland, and he got to know a good many things during that time about the management of prisons in other countries. They found that the prison system in England was far from being the best. The prison system in Ireland was entirely different, and was beyond all comparison better than that of England. They found that the prisons in the United States were by far the best, and were more than self-supporting. They also found that on the Continent the prisons were better managed than in England. If they were going to send out of this country for an officer, why did they not find out where the prisons were best managed, with the best results for the country and the prisoners? He hoped the House would pause before they went to this expense.

Mr. FISHER would support the resolution. He thought in the first place they could not well afford the cost. He was surprised that the Minister of Justice should have such a notion of sending Home for such an officer. He thought it had often and often been the case that billets were given to men from England, when there were men in the colony well able to do what was required. For a long time in Canterbury, it was only necessary that a man should come from England and should have known Lord Lyttelton's dog, or have seen it, to be put into a billet over everybody else in the province. He thought their experience of importing goods of this sort had not been very beneficial. They had to bring those officers out from England, they had to pay their salaries, they had to give them compensation, and send them back to England without having done any good whatever for the colony.

Mr. BURNS, in reply, said it grieved him very much to interfere with the Minister of Justice. His pathetic appeal to the House on this question was perfectly touching; but he recollected that the honorable gentleman made the same appeal on a recent occasion. He thought the House would be able to judge whether there was anything but theory to support that appeal. The honorable gentleman was simply going on theory alone, and he very much questioned whether there was anything practical in it whatever. They had prisons in the colonies better managed than the prisons in the Home country; and he was certain that the prison management in England was a laughing-stock to the whole nation. He was sure the Pentridge Prison in Victoria was better managed than any prison in the old country. He did not think the circumstances of this colony at the present time were such that they should make any new appointments. In bringing forward this motion he simply wanted to give the House an opportunity of stopping this appointment. The Minister of Justice could not say that the appointment had been made, and he thought they should countermand the appointment at once. It could very well stand over for another year; and, if the appointment was absolutely necessary, he hoped it would then be made, and that some gentleman within the colony itself would be appointed. He thought it was most ungrateful for the honorable member for Nelson City (Mr. Curtis) to make the remarks he did about the Gaol in Dunedin. He happened to know something about the matter referred to by the honorable member. The pathetic appeal made by that honorable member, as Superintendent of Nelson, to the Otago officials about those prisoners was very touching; and now he turned upon them in this way, after they had taken charge of prisoners he could not look after himself. The circumstances had already been correctly detailed by an honorable member. In the first place, the prisoner referred to would not work. If he could have been induced to work, the Nelson Government would not have been asked to pay anything. First of all, the man would not go to work, and then he fell ill. He was afterwards forced out to work almost at the point of the bayonet, and extra officers had to be put on to look after him, as he was a most dangerous character, he having been a bushranger, and tried for murder. Then the management of the Maori prisoners in the Dunedin Gaol was a credit to any one. He did not wish to speak of Mr. Caldwell to the disparagement of any other man in New Zealand. As he said before, he simply mentioned that gentleman because he thought he was capable of undertaking the duties of such an office. It was quite possible there were others in the colony as capable as he was. It was perhaps a pity that his name was brought up at all; but he wished to show the utter absurdity of sending to the Home country for officers when they could get better men in the colony. The same thing had been done in other departments; and, although he admitted there were some exceptions, the great bulk of the officers so obtained had not fulfilled expectations.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	25
Majority against ...					1

AYES.

Mr. Baigent,	Mr. O'Rorke,
Mr. Brandon,	Mr. Reid,
Mr. J. O. Brown,	Mr. Rowe,
Mr. De Lautour,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimski,
Sir G. Grey,	Mr. Swanson,
Mr. Hislop,	Mr. Takamoana,
Mr. Larnach,	Mr. Tole,
Mr. Lumsden,	Mr. W. Wood.
Mr. Macfarlane,	
Mr. Manders,	<i>Tellers.</i>
Mr. Murray,	Mr. Burns,
Mr. Nahe,	Mr. Fisher.

NOES.

Mr. Andrew,	Mr. Reynolds,
Mr. Barff,	Mr. Richardson,
Mr. Bowen,	Mr. Richmond,
Mr. Button,	Mr. Rolleston,
Mr. Harper,	Mr. Stevens,
Mr. Hunter,	Mr. Tawiti,
Mr. Kennedy,	Mr. Teschemaker,
Captain Kenny,	Mr. Wason,
Mr. G. McLean,	Mr. Whitaker,
Mr. Murray-Aynsley,	Mr. Woolcock.
Mr. Ormond,	<i>Tellers.</i>
Mr. Pearce,	Mr. Carrington,
Mr. Pyke,	Mr. Curtis.

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Hodgkinson.	Mr. Bunny.

The motion was consequently negatived.

PROTECTION OF ANIMALS ACT.

Sir G. GREY, in moving the second reading of this Bill, said its object was to amend the 29th section of the Protection of Animals Act; and it was in reality a Bill for the insertion of three new words. The introduction of certain noxious animals was prohibited, and it was proposed to add to the prohibited animals three others, namely, the polecat, which was most destructive to birds; the stoat, which was equally destructive to birds; and the weasel, which was especially destructive to insectivorous birds. It was known to eminent naturalists that if the weasel were allowed to be introduced into a country with such a climate as New Zealand, it would breed with extraordinary rapidity; and of course if it did so it would materially interfere with the agriculture of the country, because they would kill the birds which destroyed the grain-eating insects.

Bill read a second time.

On the motion that the Bill be committed presently,

Mr. REYNOLDS thought it would be unfair to honorable members who had Bills on the

Order Paper, to allow this Bill to be committed presently. It ought to 'bide its chance, like all the others. He had a Bill, which stood No. 40 on the Order Paper, and had been there for five or six weeks. It was unfair that some honorable members should have an opportunity of getting their Bills committed immediately, while others had to wait such a long time.

Mr. ANDREW moved, that the Bill be committed that day week. He was not in his place when the Bill was read a second time, but that, of course, was his own fault. However, it was not fair to allow this Bill to stop the progress of Orders on the Paper. As to the question as to whether stoats or weasels should be introduced into the country, there might be very different opinions, and he should move, That the commitment of the Bill be postponed for a week.

Mr. SEYMOUR thought the House had rather been taken by surprise by the second reading of this Bill. It stood on the Order Paper as an amendment to the Protection of Animals Act. He had not seen the Bill; but, rather than being a Protection of Animals Act, it ought to be regarded in a totally different light. In reality, it was a Noxious Animals Prohibition Bill, and would prohibit the introduction of certain animals which he thought did not come under the category of noxious animals. It included three descriptions of animals, any one of which it might be desirable to import. They had had a Select Committee appointed that session to consider the question of the rabbit nuisance, and the result of the Committee's investigation showed that a very large amount of damage was being done by rabbits—so great, indeed, that, with all the means at their disposal, it seemed scarcely possible to cope with the difficulty. It had been suggested in many places that the true mode, and perhaps the only mode open to them to prevent the increase of rabbits, was by the introduction of those animals which could not be introduced if the Bill were passed. If he had known that the second reading of the Bill was to be passed so hurriedly, he would have spoken against it then. However, if the commitment was postponed to that day week, he would say no more upon the subject.

Sir G. GREY would have no objection to the commitment being postponed.

Amendment agreed to.

AUCKLAND PROVINCIAL COUNCIL LIBRARY BILL.

Mr. O'RORKE, in moving the second reading of this Bill, said its object was to give effect to the wishes expressed from time to time by the Provincial Council of Auckland in regard to this subject. He had not brought it forward from any terror of the Spoliation of Provinces Bill, because he believed the people of Auckland were possessed of sufficient public spirit to prevent that Bill ever becoming law in that province; but, unfortunately, they had been unable to hold a meeting of the Provincial Council for the last eighteen months, and, for that reason, it was necessary to introduce the Bill into this Assembly. Its object was to enable certain members of the

Provincial Council to enter into negotiations with the City Council of Auckland for the transfer of the library to the City Council, in order to form a free public library for the city of Auckland. There were certain liabilities of a moderate amount attached to the library, and referred to in a clause, which he would fully explain in Committee. The names of the members of the proposed Board of Trustees were specified in clause 2; and, as he had already stated, the object of the Bill was to convert the Provincial Council Library of Auckland into a free public library—a course which he would like to see adopted with regard to the Parliamentary Library in the General Assembly Buildings. The Provincial Library of Auckland had, he was happy to say, outgrown the limits of a parliamentary library, and he believed the remark equally applied to the library attached to this House. The sooner these were made public libraries, and the benefits obtained from the public money expended in the formation of these libraries thrown open to the public, the better it would be for the people at large.

Bill read a second time.

WAITARA HARBOUR BOARD BILL.

Mr. KELLY, in moving the second reading of this Bill, said it was one which he had no doubt would commend itself to the House, because it contained no endowment clauses and gave no borrowing powers. In these respects it differed from many of the other Harbour Board Bills which had been introduced into the House. The abolition of provinces had rendered the Bill necessary, in order that a body might be established to look after the harbour at the Waitara, which was a thriving port, but suffered at present from the want of any local power to manage it.

Mr. SHEEHAN would like to know the opinion of the honorable member for Grey and Bell upon this Bill. This Bill was intended to build up at Waitara a rival port to that which it was proposed to form at New Plymouth. Although one man had been struggling for a generation to establish a harbour of refuge at New Plymouth, the House was now asked to tinker up the bar-bound river of Waitara. The honorable member in charge of the Bill said there were no borrowing powers or endowment clauses, but it would be found that that was a thing that would only last for one year. He warned his honorable friend the member for Grey and Bell that next year the honorable member for New Plymouth would be sure to come down and ask for endowments and powers to borrow. Without those powers this measure would be perfectly useless, for it would be found that the rates which could be raised in the district would not be sufficient to keep the pilots in tobacco. He hoped the honorable member for Grey and Bell would express his opinion upon the measure before it was read a second time.

Mr. CARRINGTON had very few words to say upon the subject, and they were to this effect: that the explanation given by the honorable member for New Plymouth was perfectly correct. The reason no endowments were asked for was, that he (Mr. Carrington), as Superintendent

of the Province, had already made arrangements, and would take care that the place was properly endowed. The passing of this Bill would in no way interfere with the construction of the larger harbour at New Plymouth, because its object was merely to provide for the local management of the smaller harbour at Waitara.

Bill read a second time.

C. PHILLIPS.

The House went into Committee.

Mr. HAMLIN moved, That an address be presented to His Excellency the Governor, requesting him to recommend to this House an appropriation of £300, to meet the report of the Public Petitions Committee in the case of Mr. Coleman Phillips. The other evening, in asking that this question might be referred to a Committee of the whole House, he informed honorable members that the Public Petitions Committee had brought up a report, and in it had recommended that Mr. Coleman Phillips should receive a sum of £300 as compensation, and to repay him the money he was out of pocket for personal expenses while in Wellington. The matter had been thoroughly gone into by the Committee, and they were fully satisfied that Mr. Phillips was deserving of some compensation. He hoped the House would pass the motion.

Major ATKINSON hoped the Committee would not agree to the motion. He was unable to attend the Select Committee, but he was informed that the motion recommending that Mr. Coleman Phillips should receive £300 was only carried by a majority of one. He had heard that the Committee was very much divided on the question. He understood that the Committee were pretty unanimous in thinking that Mr. Phillips should receive £150, which they considered a reasonable amount for the expenses which Mr. Phillips had been put to in Wellington; and he would be prepared to place that amount on the estimates, without sending an address to His Excellency at all, if the honorable member was prepared to accept it. In order to put the question to a test as soon as possible, he would move, That the words "three hundred" be omitted, and that the words "one hundred and fifty" be inserted in lieu thereof.

Mr. SHEEHAN hoped the honorable gentleman who had moved the motion would not accept 10s. in the pound. The facts of the case might be summed up very briefly. They were these: Mr. Coleman Phillips had originated a scheme for extending the trade of this colony to the South Pacific Islands. Whether that scheme was worth the money or not, the then Premier of the colony thought it worth while to bring Mr. Phillips to Wellington, to keep him here for a long time, and to consult with him. And afterwards he went so far as to engage to form a company in Auckland to work out the scheme. In 1874 the South Sea Islands scheme, based upon Mr. Phillips's speculation, was proposed as one of the leading measures of the session. He might remark, by the way, that afterwards it gave way to the Abolition scheme. This fact remained untouched: that whatever Mr. Phillips had

to sell, whether it was worth the money or not, the colony, through its Premier, offered him a price which they now wished to compound for £300. He thought that to offer Mr. Phillips 10s. in the pound on that sum was beneath the dignity of the House and the colony. It might be true that other persons had proposed schemes like the South Sea Bubble; but he contended that, if Mr. Phillips came into the market in 1871 or 1872, if he was the only person agitating this particular scheme, and if the Government thought it worth while to send for him, and afterwards to form a company and to recommend the proposals to Parliament, it was unfair on the part of the House to turn round now and repudiate the action of the Premier, and refuse to give Mr. Phillips reasonable compensation. He believed Sir Julius Vogel himself did not deny that Mr. Phillips had a claim. He admitted he had come to Wellington at the expense of the Government, and that he was entitled to compensation. The proposal to offer £150 was a monstrous injustice. Mr. Phillips must have spent over £150 in bringing his petition before the Committee, and it was now proposed to give him merely his expenses for prosecuting his claim. He trusted the Government would not press their proposal.

Mr. G. McLEAN did not think the motion had been put in exactly the form the Committee made their recommendation. The Committee recommended, by a majority of one, he thought, that £150 should be paid to Mr. Phillips; and in addition to that the Committee recommended that his expenses should be paid down to Wellington, and were not to exceed £150. He did not think any one would say that £150 would be spent on a trip from Auckland to Wellington. It would be seen that this motion proposed to exceed even what the report recommended by a considerable sum. After investigating the whole matter himself, he held that Mr. Phillips was not entitled to anything more than his expenses in coming down here, for had he gone to England to float this scheme in the face of the absolute collapse of the company at Tahiti at the time, he (Mr. McLean) was confident he would not have been able to raise a pound on the scheme. If Mr. Phillips had prevented the colony from launching into such a scheme, he thought he would have a better claim for £300. He would be quite willing, as proposed by the Premier, to give Mr. Phillips £150, and he was sure it would be perfectly satisfactory to the latter, because he hardly thought Mr. Phillips expected to get £300. He hoped the Committee would agree to the proposal to give £150, and would not consent to vote away money in the manner proposed.

Mr. LUSK confessed he had listened with some surprise to the melancholy appeal made to the Committee, an appeal which he regretted should have come from any honorable member occupying a seat on the Government benches. The Commissioner of Customs appealed to the Committee to give this petitioner £150, and his reason for doing this was, that he thought the petitioner would feel rather glad to get it. In fact, the petitioner thought they were going to treat him so

badly that he would be satisfied with even this small modicum of justice. The honorable gentleman must be aware that what he had said gave but a very incorrect idea of the state of things. It seemed to him (Mr. Lusk) absurd that they should go into the question at all of what were the chances of Mr. Coleman Phillips floating a particular company in London. That was not a question with which the honor of the House and of the country was in any way concerned. The question, as already put, was whether, a gentleman having conceived a scheme, and that scheme having been taken from him at a price by the late Premier on behalf of the colony, and for the purpose, as he supposed, of doing a great benefit to the colony, it became them to say that, because if he had been allowed to carry out the original scheme, and to try to form a company, he would have failed, therefore they should only give him part of the price agreed to be given. It had been twice stated from the Government benches that this recommendation was passed in the Committee by a majority of one. That was incorrect. It was passed by seven votes as against five. Such a misstatement having been made by two honorable gentlemen on the Government benches, he was led to believe that their examination of the matter had been a very cursory one. He thought it was unfair to the petitioner that they should take this report as being altogether a complete statement of the case. The report stated that it had been shown that Mr. Phillips supplied information relative to the Polynesian scheme. Now, it had been shown that Mr. Phillips had done a great deal more than give information. In the papers laid before Parliament in 1873, Sir Julius Vogel stated that the idea originated in his mind from the suggestions made by Mr. Phillips. So that it was not information that Mr. Phillips supplied, but the original conception of what was called the Polynesian scheme, which, whether it was a good or bad idea, was at all events considered to be of such value by the then Government that they positively insisted that they must have it, and stated that, if they did not have it, they would start a rival scheme themselves, and so render it impossible for Mr. Coleman Phillips to form a company. He would not attempt to characterize the spirit in which this matter was conducted by the late Premier of New Zealand. That gentleman no longer held a seat in the House, and therefore could not reply to any statements that might be made. He did not wish to make any reflections upon the conduct of Sir Julius Vogel; but he must say that it did not enhance the honor of the public men of New Zealand that they should attempt now to raise a controversy as to the exact relations between Sir Julius Vogel and Mr. Phillips. He thought the evidence was quite sufficient to show that at all events the manner in which Mr. Phillips was treated was such as they should not wish to see repeated very often in New Zealand. He did not wish to weary the Committee in any way by dealing with the facts of the case, and he would therefore merely say that he thought any one who had taken the trouble to inform himself upon the subject must see plainly that £150 would

be very small compensation indeed for the absolute money expenses Mr. Phillips was put to by the action of Sir Julius Vogel. He was kept, so to speak, on a string for many, many months; he was encouraged to come to Wellington and stay for some months; he was encouraged to go to Fiji on two occasions; and for a length of time was employed absolutely in working up the details of this scheme, which was taken by the Government on a distinct promise that from one source or another they would get Mr. Phillips £2,000 as compensation for the services he had rendered. When that was considered, it would be apparent to every one that £150 was ridiculously small compensation. But in addition to that, surely something ought to be paid to Mr. Phillips for the loss of his time, because a man's time should be regarded as of some value when he gave it up to prosecute any matter which was considered to be of value to the public service. When all those things were considered, and further when it was considered that this petitioner had been for upwards of two months prosecuting his claim before the Public Petitions Committee, he maintained that the award proposed to be made by a respectable majority of the Committee, after full investigation, was the smallest possible award that could be granted in accordance with ordinary justice and fair-play. He trusted the Committee would have no hesitation in granting the full amount. He must say he considered the full amount itself a very pitiful award, when all the circumstances were considered. At all events he trusted that the Committee would not be led away by any reference to the possibility of Mr. Phillips not being able to float the scheme, a matter which had absolutely nothing whatever to do with the justice of the claim before the House. He must say it did appear to him an extraordinary thing that the Government should come there and boggle about £150 in a case of this kind, when they must know, the petitioner was much more than £150 out of pocket in prosecuting this claim before the Committee.

Mr. REYNOLDS said he had attended all the meetings of the Committee except one, and his impression was that Mr. Phillips was not entitled to anything except his passage money from Auckland to Wellington, and his expenses while he was in Wellington. A number of resolutions were brought up in the Committee. It was first moved that a sum not exceeding £150 should be paid to Mr. Phillips for expenses incurred in coming to Wellington. It was then proposed as an amendment that £150 should be struck out, and £500 substituted. On the question being put, £150 was carried by the casting vote of the Chairman. It was then moved that after "£150" the following words be added: "and that a sum not exceeding £350 be given him for his other expenses." That would show how the Committee was endeavouring to carry out its own views. Seeing that in all probability this last resolution would be lost, the Committee adjourned. On the following day it was moved that after the words £150 the following words be added: "That a sum not exceeding £150 be given him for his other expenses." That was put to the Committee, and

they again divided, there being six on each side; and it was decided by the casting vote of the Chairman that the words should be added. And then there was another motion to the effect that Mr. Phillips was entitled to the expenses he had incurred in coming to Wellington in reference to that subject, not exceeding £150, and that a sum of £150 be given to him for his other expenses. That motion was carried by seven to five. That was the position of the matter; and he felt sure that if honorable members had been present at the meeting of the Public Petitions Committee, there would be very few of them that would vote in favour of any larger sum than that proposed by the Government.

Mr. REES had known Mr. Coleman Phillips for many years, and he knew that for some time before the Polynesian scheme was brought out he was engaged in elaborating a scheme for a private company. He availed himself not only of the knowledge gained by two visits to the islands, but of the knowledge of several other gentlemen, especially that of Mr. Sterndale, a man who had been trading to the islands, a man of great intellectual power, and a man who contributed a series of long and most interesting letters referring not only to the beauty and capabilities of the islands, but to the advantages which would accrue from establishing commercial intercourse with them. Mr. Phillips was engaged for a long time in working out the scheme, and, having communicated it to other gentlemen, became known to Sir Julius Vogel, then Mr. Vogel; and it was he who first proposed to Mr. Phillips that it should assume the form of a political as well as of a mercantile scheme. Mr. Phillips was then told—there was nothing more than an understanding about it, but it was a clear understanding—that he would be paid £3,000 for parting with his store of knowledge. He did not know whether what he had said about Mr. Sterndale came out before the Public Petitions Committee; but he knew it as a fact, inasmuch as Mr. Sterndale and other gentlemen who had traded about the islands, and had obtained valuable information, told him that they had given the information to Mr. Phillips, who had himself mapped out the whole scheme, which was afterwards adopted by the Government, and introduced to the Legislature in 1874. No doubt they all sympathized with the Government in endeavouring to keep down the claims on the public purse, but there was such a thing as political uprightness. The Committee should remember that Mr. Phillips was promised £2,000; and now, after waiting three years, and after coming down to Wellington at the instance of Sir Julius Vogel, to further the scheme which was considered so valuable, he was to be put off with £150. He did not think that was fair. It was not calculated to raise the reputation of the House, or the character of its leading men. He hoped the Committee would adopt the report of the Petitions Committee. The honorable member for Port Chalmers, who appeared to hide behind a smiling face a heart as hard as a millstone, said the Committee were divided equally, six to six, and that the motion for giving Mr.

Coleman Phillips £800 was only carried on the casting vote of the Chairman. The honorable gentleman seemed to be at sixes and sevens, for it happened that the motion was carried by seven to five. The Committee having recommended that Mr. Phillips should receive £300 instead of £150, he hoped the House would indorse that recommendation. £300 would in no way recompense Mr. Phillips for his trouble and outlay; and, looking at all the circumstances of the case, the House should not refuse to grant that sum.

Mr. BRANDON said it would establish a very bad precedent to pass this vote upon the strength of a report of a Committee. Because a speculator might suggest to a Minister, or to the Government of the day, a scheme which might be useful to the colony or advantageous to the community, did that constitute a good claim to compensation? He suggested the scheme, and received a promise that, if it was taken up and succeeded, he would receive a sum of £2,000; but it was not taken up by the colony, and he was not precluded in any way from taking advantage of his own knowledge and experience. He had the right to submit his scheme to any other country or to any private company who might desire to enter upon such an undertaking; and what claim could he possibly have upon this colony? The Minister who negotiated with Mr. Phillips was not authorized by the Government to do so, and when the scheme was submitted to the House it refused to adopt it. If Mr. Phillips were voted a sum sufficient to cover his expenses in coming to Wellington to lay his scheme before Sir Julius Vogel, and at his request—that was all he was entitled to. To say that they were bound to ratify all the actions of a Minister who chose to take up the scheme of any speculator, and pledge the colony to the payment of a certain amount of compensation, was a monstrous proposition. It was impossible to say what sums they might be made liable to, if every speculator who had the privilege of laying before a Minister a specious scheme were afterwards to have the right to come to the House and say, "You have sucked my brains, you have taken advantage of my knowledge, and now I require payment for it." It would be quite sufficient that Mr. Phillips's expenses at Wellington should be paid.

Mr. MURRAY-AYNSLEY would go further than the honorable gentleman who had just sat down. This was a scheme for which the Government were in no way responsible, because in no sense was it taken up for the good of the public. A certain gentleman got an idea into his head, and he went to the then Premier and explained his scheme, which certainly was taken in hand by Sir Julius Vogel; but the Legislature refused to adopt it, so that it could not be regarded as a public scheme. Besides, private circulars relating to the subject were sent all over the colony, with the object of forming a company; and that did not look as if Mr. Phillips regarded it as a public matter. Had it been a public matter it would have been announced officially in the *Gazette*. And while the investigation was going on before the Committee, Mr. Phillips wrote a letter to Sir Julius Vogel, in which he

stated that, if members of the Ministry attended the meetings of the Committee simply to vote against him, he should be compelled to take measures to prevent Sir Julius Vogel leaving the colony until the matter was re-investigated. That did not look as if it was a Government matter. He intended to take steps to compel a Minister to work for him, simply because, when the scheme was a failure, he wanted the colony to pay his expenses. Mr. Whitaker, writing to Sir Julius Vogel on the 15th August last—he was then Postmaster-General—said,—

“In reply to your letter of this day's date, in reference to Mr. Phillips's claim for compensation, I have to say that I recollect your stating more than once, at the interviews I had with you on the subject of the South Sea scheme, that you desired that Mr. Phillips should receive some remuneration for his trouble in the matter, and you proposed to insert, in what I suppose may be called the prospectus, a provision that he should be paid £2,000, to which I objected, on the ground that it would prejudice the chance of success; and that I stated it would be quite competent for the company, when formed, to grant Mr. Phillips any sum they thought fit.”

It was not the Government who were to give the £2,000. It was the company—“when formed.” Mr. Phillips got up a scheme; he showed it to a person who happened to be Premier of the colony, and laid it before him; he endeavoured to form a private company, and to get a guarantee. That was all the colony had to do with it: it refused to indorse a proposal for a guarantee to any company that might be formed to carry out that scheme, which then went back to the persons who originated it. He did not see how the colony could be considered liable, merely because Sir Julius Vogel happened to be Premier at the time.

Mr. HAMLIN was surprised to hear the honorable gentleman speak in that strain. Had the colony always refused to recognize engagements entered into by Sir Julius Vogel while acting as Premier? When Sir Julius Vogel went Home to negotiate for a San Francisco mail service, did he not pledge the colony to an extra expenditure of £7,000? And did not these same honorable members back him up then? Was not this scheme entered upon by Sir Julius Vogel upon the clear understanding that it was to be a colonial undertaking, and was not New Zealand to reap whatever advantage resulted from it? He read some extracts the other evening, and would not now read them. In 1874, when Sir James Fergusson was Governor, the matter was taken up, and a Bill was brought before the Assembly to make this a New Zealand scheme. If a Minister could be allowed to break his word in any case, it would be a great hardship indeed. No doubt Mr. Phillips was stopped, both by the then Governor and by Sir Julius Vogel, from going Home; and their letters prove that. With reference to the divisions which had been alluded to by the honorable member for Port Chalmers, he would point out to the House that the honorable gentleman had not stated the question fairly. When the Committee were about to consider their

report, the room was deluged by gentlemen who had not, with one exception, been present during the consideration of the case, and had not heard the evidence. They said they had read the evidence; but that evidence had been very materially altered by Sir Julius Vogel in a very marked manner. Several lines were struck out, and others were interlined, in his evidence. It was very much altered and toned down. He would appeal to the honorable member for Newton if that was not the fact. They both pointed out in the Committee that the evidence had been altered, and they were told it was not the case.

Mr. KELLY said the evidence was not substantially altered: the grammar was corrected and it was made clearer. The evidence was gone over by the shorthand-writer afterwards.

Mr. HAMLIN said they turned up the evidence, and saw that it had been altered. They endeavoured to decide what had been struck out, but they could not make out what it was. How could the honorable member say that the evidence was not substantially altered—because they could not see how it had been altered, they could only see the red ink. If those who had heard the evidence had been allowed to decide the matter, the sum recommended would have been more than it was. Two Ministers appeared on the last occasion, but the Committee had hardly had the honor of seeing their faces before. If honorable members would refer to the proceedings, they would see that the Hon. G. McLean attended on the 22nd of August; and on the day the Committee considered their report, they were honored by his presence and that of Mr. Richardson. It was to this packing of the Committee he and others objected at the time, and it caused great delay in bringing up the report. Mr. Phillips had a fair claim to compensation, and the Committee should agree to the resolution.

Mr. RICHARDSON said that as the honorable member talked about packing the Committee, he could not let the remark pass without notice. As often as his duties allowed him he went to that Committee; and on the day referred to he had not, before he entered the room, the slightest idea as to what was before the Committee. He heard one of his colleagues being very severely handled for expressing his views to the Committee, and he stopped in the room. He happened to take a great deal of interest in this matter, and knew, without hearing the evidence, pretty well as much as any member of the Committee did about the subject. He took part in the discussion and voted, as he was entitled to do; but he objected altogether to the honorable member stating that the Committee was packed in any way on that day.

Mr. HISLOP did not think the honorable member complained altogether of the way in which Ministers attended the meetings, but he complained more particularly of the conduct of the honorable member for Port Chalmers. It was a rather remarkable thing that, in the proceedings of the Committee, the name of the Hon. Mr. McLean only appeared on one day previous to the final decision, and the Hon. Mr. Richardson's only appeared on the day upon which

the decision was arrived at. He thought it was owing to the action of the honorable member for Port Chalmers that those honorable gentlemen and one other member, supporters of the Government, turned up for the first time on that day upon which the petition was finally considered. He did not know how it was, but it always appeared to be made a Government question on the Committee that Mr. Phillips should receive nothing at all, and he was astonished to hear the Commissioner of Customs agree this evening that a sum of £150 should be placed upon the estimates for Mr. Phillips, for previously the honorable gentleman's opinion was that he was not entitled to anything. That was his contention before the Public Petitions Committee, and the honorable gentleman had not told the Committee how he had now arrived at the decision that Mr. Phillips was entitled to £150. The honorable member might as well have gone the whole length, and said he was entitled to the £300 which had been recommended by the Public Petitions Committee. The honorable member for Wellington Country District, he thought, had stated the case rather unfairly to the Committee. It was not the case of a speculator giving to the Premier for the time being, and agreeing that if the matter were a success he would be compensated; but Mr. Phillips went to the Premier at the invitation of the Premier, and laid before him a well-digested scheme for the settlement of those islands. The Premier was so struck with it that he at once agreed to bring it before Parliament; and he then entered into an agreement with Mr. Phillips that a certain thing should be done, and after that Mr. Phillips should receive a certain sum of money. Afterwards, Mr. Phillips was not satisfied with what had been done; and after he had been told not to go home by Sir Julius Vogel, he was told to go about his business, because the Premier was going to get other persons to work out the scheme. Mr. Phillips then wrote to the Premier stating that if he accepted the scheme or made any use of it, he would have to be compensated by receiving £2,000. The Premier then, without the consent of Mr. Phillips, published the scheme, or rather took the eyes out of it. He laid the matter before the House, notwithstanding the protest of Mr. Phillips. As the Premier had laid the scheme before the House after that protest, there was certainly an implied contract on the part of the Premier to pay for the scheme whether it was a successful one or not. That clearly appeared from the letters published in the evidence. He hoped the Committee would agree to vote the whole sum, because it was but very poor justice to Mr. Phillips, considering the way in which he had been treated in the matter.

Mr. G. McLEAN said the honorable member for Waitaki had taken great interest in Committee in advocating this gentleman's case. The House would think it very strange if Ministers allowed votes to come before the Assembly without investigating them. The honorable member seemed to think that Ministers had not a right to go to the Public Petitions Committee at any time they pleased, or to read evidence that had been taken. When a matter came before the House

upon which money was claimed, he took an interest in it, and always examined the evidence taken before the Public Petitions Committee to see whether the claim was just. The honorable member said Ministers did not go near the Committee often; but did the honorable gentleman think that Ministers had nothing else to do but to attend a Committee every day? How would they be able to meet the House if they did that? He was of opinion that Mr. Phillips was entitled to his expenses in attending at Wellington, and it was proposed to give him £150. How many people put schemes before the public with the view of getting so much if the scheme floated, but if it did not they would receive nothing. That was the usual course with all such schemes, and he did not think Mr. Phillips should be made an exception to the rule. As to Mr. Phillips being entitled to £2,000, it was true he was to get £2,000 out of it if possible—if the scheme succeeded; but it was not a success. He hoped the Committee would agree to £150 only, because that was every shilling Mr. Phillips was entitled to, and far more.

Mr. GIBBS was a member of the Committee, and had not been actively in favour of Mr. Phillips getting £150, but he had done so negatively as against any larger sum being agreed to. He was prepared to support the sum of £150, as far as that covered the expenses Mr. Phillips had been put to; but his own opinion had been that Mr. Phillips had not any claim whatever upon the colony—that he had forced his plans upon Sir Julius Vogel, and that it was arranged between them that, if a company was floated, Mr. Phillips should have—as he expressed himself in a letter—some appointment equivalent to £800 or £1,000 a year. Sir Julius Vogel, in his evidence, said he did not think Mr. Phillips was a person likely to give any company value for £1,000 a year; but he was prepared to recommend that, if a company was floated, Mr. Phillips should have a bonus of £2,000. He could not see how in any way that compromised the Government of the country; and he thought Mr. Phillips had no further claim than any other promoter of a company who failed to float it had upon those who endeavoured to assist him in doing so. It was simply that and no more, as far as he could see. The Committee tacitly admitted that Mr. Phillips should be paid the £150 to cover his expenses—and in addition that he should have £150 to compensate him for the losses he had sustained. This he (Mr. Gibbs) had opposed. With regard to the observations made by the honorable member for Franklin about the alterations in the evidence, they were merely verbal alterations, and it was not unusual for witnesses to make such alterations in the evidence when the copy was submitted to them to sign. The alterations made did not alter the facts in any way.

Mr. HAMLIN.—Could you decipher what was struck out?

Mr. GIBBS said he had certainly no difficulty in doing so. He supposed the original copy of the evidence could be produced if necessary.

Mr. LUSH said the last two speakers had con-

vayed an entirely erroneous impression of this matter, although he did not say they intended to do so. They gave the impression that there was a sort of partnership existing between Sir Julius Vogel, then Premier of New Zealand, and Mr. Coleman Phillips—that there was a sort of bargain that Mr. Phillips was to get something out of the company if he succeeded in floating it, but not otherwise. He could not imagine how any honorable member, in the face of the documentary evidence, could for one instant take such a view as that. Mr. Phillips remonstrated in the strongest manner, in a letter to Sir Julius Vogel, published with the evidence, at the course proposed to be taken by the Premier. That was before the scheme was laid before the House at all. He pleaded in the strongest possible manner with Sir Julius Vogel not to insist upon taking his scheme and rendering it absolutely worthless, without giving him compensation. He wrote thus:—"I cannot give up the hope of so many months without a struggle, and why I have to do so I cannot imagine. I have heard that you possess the power of swaying men according to your own ideas; but here I sent you the plan because I wanted your assistance, and you take it all from me. I will not submit to this. If you take the plan and carry it through, you must guarantee to me the compensation you named—£2,000. If you take the plan and publish it, you must still guarantee compensation. I will say one-half that sum." Sir Julius Vogel did take the scheme and published it. How could any one, in the face of that statement, say that Sir Julius Vogel was at liberty to use that scheme and publish it, and, after publishing it, was at liberty to say that it was nothing at all? The originator of that scheme was dragged into that position. It was very hard that he should be forced into the position of a partner in a scheme—that he should be dragged into it in this way. He was really surprised that any honorable members who had taken part in this investigation should have made such statements to the House.

Mr. GIBBS said the honorable member had read a portion of a letter from Mr. Phillips. He (Mr. Gibbs) would read an extract from Sir Julius Vogel's evidence:—

"Did you not promise something of the sort when you proposed bringing the matter before Parliament?—What matter?"

"The matter of the Polynesian scheme?—After Mr. Phillips wrote me the injudicious letter of which I have spoken, I told him he might do what he liked, but that if a company were formed I would try and get him £2,000.

"Did you lead him to believe that the matter would be brought before Parliament for the purpose of seeing if the Parliament would adopt it?—I do not think so. I told him he was at liberty to do as he liked; but if the scheme was carried out, I would try and get him £2,000."

That was the other side of the question.

Mr. SWANSON had made up his mind not to say anything about this matter, but he really could not resist making some remarks upon the evidence as printed. In looking over the evidence given by Sir Julius Vogel, he failed to find a certain

answer given to a question, an answer which every member of the Committee had heard. The answer was either struck out or never put in. He would read the question he had himself put to Sir Julius Vogel, and the answer as printed:—

"Would the Government have given anything if the scheme had been carried out?—My opinion is, that it would have made an arrangement by which the company would have paid something; but I was never prepared to put the Government to any expense. If the company had gone on, we should have insisted upon the claims of Mr. Phillips being considered. It was in my mind to do that, but certainly not to put the colony to any expense."

He would ask any member of the Committee if that was the answer given?

Mr. HAMLIN.—Certainly not.

Mr. SWANSON.—Certainly not. Sir Julius Vogel said that any reasonable consideration would be paid. He would read the letter written by Sir Julius Vogel to Mr Phillips:—

"(Private.)

"Wellington, 6th November, 1873.

"DEAR SIR,—I am in receipt of your note, and thank you had better delay doing anything until you see me.

"I have thought much over your proposal, and have a suggestion to make which I think you will like; and meanwhile I would wait, and not tell your plans to others. The quieter you are about them the better.—I am, &c.,

"JULIUS VOGEL.

"P.S.—I am sure to be in Auckland in the course of a couple of months, probably sooner, and the delay will do no harm. Let me know what you decide upon.

"J. V."

He would read another portion of Sir Julius Vogel's evidence when being examined by the honorable member for Wanganui, Mr. Bryce:—

"Did you suggest to Mr. Phillips that he might get a reward for his connection with the scheme?—I think that I treated Mr Phillips quite confidentially. I suggested to him to come down to Wellington, and did not conceal from him that I thought the Government would take up the idea and carry it out."

Mr. ANDREW said that the claim which Mr. Coleman Phillips had brought before the House was worth nothing whatever. The scheme itself was utterly worthless. He (Mr. Andrew) would undertake for a couple of pounds to produce as good a one. What did the scheme really amount to? In the statement put before the Committee by Mr. Coleman Phillips, it was called the "Original Draft of the Polynesian Scheme. Proposed Scheme for a Trading Company for Polynesia." The objects were stated to be—

"(1.) The supply of native labour in the Polynesian group, and to the Australian colonies. (2.) To take advantage of the dormant labour resident in the islands, by exchanging trade for island productions. (3.) To acquire ultimate dominion."

Was this House going to compensate Mr. Phillips for suggesting that something very like slave labour should be employed? If they im-

ported slave labour, they would be liable to punishment as pirates. Mr. Phillips did consider that labour of this kind should be imported; but what did Sir Julius Vogel say to the proposal to import such labour? He stated in his evidence,—

"I was afterwards rather shocked at having been led into giving my approval to a proposal which had such a prominent feature as dealing with human labour. There are one or two expressions in the thing which are rather ugly."

And were they going to give Mr. Phillips compensation for having suggested a plan, portions of which seemed "ugly"? It seemed to him that Mr. Phillips did not deserve anything for that. Then they had a certain amount of information about geography which might be easily picked up. They were told that some of the Pacific Islands belonged to France—that some of them belonged to America, and different other countries. They were not told how to deal with the islands belonging to foreign Powers. Mr. Phillips did not say anything about France in relation to these islands, except that "France I avoid." He referred to the Wesleyan Mission in this way: "This influence must be courted and gained; I fancy that it can be gained. They cannot expect always to rule these islands." The suggestion was that we were to supplant the Wesleyan missionaries, and rule these islands instead of them. He did not think the people in those islands would benefit by having Coleman Phillips as a ruler instead of a Wesleyan missionary. Were they to compensate Mr. Phillips for suggesting such a scheme as that? No. It was absolutely worthless. Then there were other points which really did not deserve any consideration, and which a boy might have suggested. Mr. Phillips said that the mode of procedure was to plant stations on different islands. Well, that was what Robinson Crusoe did on one island of the Pacific, and he never applied for any compensation. Then Mr. Phillips went on to say, "Let small vessels call at regular intervals." Well, that was what Robinson Crusoe did. He sent out vessels, and went himself as supercargo, to visit his island. The whole scheme, as propounded by Mr. Phillips, was a trumpatory affair altogether. Mr. Phillips first went out to the islands in 1872, and he broached his scheme to Ministers in 1873. Was that any reason why he should come to this House for compensation of any kind? That gentleman then told them that this was an original scheme. He held in his hand the prospectus of the Polynesian Company, Limited, brought out in Melbourne in 1868. That was sent as a circular to Sir Julius Vogel, and yet Mr. Phillips came to the House and sought for compensation as the originator of the Polynesian scheme. Sir Julius Vogel, in his evidence, stated,—

"Mr. Phillips's scheme pointed to a large trading company, something after the nature of the old chartered companies; and the first idea which it originated in my mind was that a charter should be obtained for it; and I freely concede to him the credit of having started this."

The Hudson's Bay Company and the East India Company had charters granted to them hundreds

of years before Mr. Phillips was ever heard of. If the scheme was such a great scheme, why was it not brought forward in this House? The Ministry had the Bill read a first time, but they did not venture to attempt to read it a second time; they knew the House would kick it out. Were they to waste their time in wading through these papers, and considering the Polynesian scheme? Mr. Phillips was not entitled to anything. If entitled to anything, it was not from this House. If there was such a thing as Ministerial responsibility, it should apply to this case. If a Minister entered into an arrangement with Mr. Phillips without the authority of Parliament, and promised compensation for something, in that case the thing ought to fall upon the Minister himself. If this House did not give compensation, by all means let Mr. Phillips have his action at law. If he did that, and succeeded, the House might then very well consider whether they should compensate Sir Julius Vogel. His own opinion was that Mr. Phillips should not receive one halfpenny.

Mr. ROLLESTON said there were one or two observations which had not fallen fairly from the last speaker. If the question of traffic in slave labour was an improper one to entertain, when it was brought forward by Mr. Phillips, that was a good reason for rejecting his proposal. He quite agreed with the honorable member for Wairarapa that this scheme was a complete bubble, that the whole transaction was wrong and improper on the part of the Premier; but that was not the question. The question, as it seemed to him, was this: Was it to be understood that negotiations could be entered into with the Prime Minister of the colony—and even beyond that, with the Governor; and that the Governor should write a letter such as that which appeared on page 17 of the evidence, which clearly showed that the Government entertained this as a proposal to be brought before the House, and that they appropriated the ideas of this gentleman—was it to go that length, and then that a man was to be told that he was to keep his ideas quiet—after the Government had appropriated them? Was that to be done, and was it then to be said that he was not to receive compensation for the loss of the hopes held out to him by the Governor and the Prime Minister? That was the point. The whole scheme was trumpatory—even silly, perhaps; but, at the same time, it would not be for the credit of the colony that it should go out to the world that the Prime Minister of New Zealand should hold out promises and the Governor should back them up, and then that the person to whom the promises were made should be thrown over. The fact was, that this man's information, although not worth anything, was considered to be worth a great deal by those who got it from him and who made use of it. The House was bound to show him some consideration; and if it was bound to give any consideration at all, he did not see why it should stop at £150 and not give £300, as recommended by the Committee.

Mr. ANDREW moved, That the amount be reduced to sixpence.

Mr. Andrew's amendment negatived.
Question put, "That the sum of £150 be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	80
Noes	...	...	...	...	27

Majority for	...	...	...	...	3
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AYES.

Major Atkinson,	Mr. Murray-Aynaley,
Mr. Ballance,	Mr. Ormond,
Mr. Bowen,	Mr. Pyke,
Mr. Brandon,	Mr. Reynolds,
Mr. Bryce,	Mr. Richardson,
Mr. Bunney,	Mr. Seymour,
Mr. Button,	Mr. Stevens,
Mr. Carrington,	Mr. Teschemaker,
Mr. Gibbs,	Mr. Tribe,
Mr. Hunter,	Mr. Watson,
Mr. Kelly,	Mr. Whitaker,
Mr. Kennedy,	Mr. Woolcock.
Mr. Lumsden,	
Mr. Manders,	<i>Tellers.</i>
Mr. G. McLean,	Mr. Andrew,
Mr. Moorhouse,	Mr. Richmond.

NOES.

Mr. Baigent,	Mr. Rees,
Mr. Barff,	Mr. Reid,
Mr. J. C. Brown,	Mr. Rolleston,
Mr. De Lautour,	Mr. Rowe,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimski,
Sir G. Grey,	Mr. Swanson,
Mr. Henry,	Mr. Takamoana,
Mr. Hislop,	Mr. Tole,
Mr. Hodgkinson,	Mr. Wakefield,
Mr. Joyce,	Mr. W. Wood.
Mr. Larnach,	<i>Tellers.</i>
Captain Morris,	Mr. Hamlin,
Mr. Pearce,	Mr. Lusk.

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Burns.	Mr. Murray.

The amendment was consequently agreed to.
Question put, "That the motion as amended be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	50
Noes	...	...	...	...	6

Majority for	...	...	...	...	44
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AYES.

Major Atkinson,	Mr. Pearce,
Mr. Baigent,	Mr. Pyke,
Mr. Ballance,	Mr. Rees,
Mr. Barff,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Richmond,
Mr. Bryce,	Mr. Rolleston,
Mr. Bunney,	Mr. Rowe,
Mr. Carrington,	Mr. Seymour,
Mr. De Lautour,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimski,
Mr. Fisher,	Mr. Stafford,

Sir G. Grey,
Mr. Hamlin,
Mr. Henry,
Mr. Hodgkinson,
Mr. Hunter,
Mr. Joyce,
Mr. Kelly,
Mr. Kennedy,
Mr. Larnach,
Mr. Lumsden,
Mr. Lusk,
Mr. G. McLean,
Mr. Moorhouse,
Captain Morris,

Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Teschemaker,
Mr. Tole,
Mr. Tribe,
Mr. Wakefield,
Mr. Whitaker,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Button,
Mr. Hislop.

NOES.

Mr. Gibbs,
Mr. Manders,
Mr. Murray-Aynaley,
Mr. Reynolds.

Tellers.

Mr. Andrew,
Mr. Ormond.

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Murray.	Mr. Burns.

The motion was consequently agreed to.

AUCKLAND PUBLIC BUILDINGS BILL.

Mr. WHITAKER, in moving the second reading of this Bill, said he would explain briefly the reason why the Bill was introduced. In 1875, the Provincial Council of Auckland passed an Act called the Public Buildings Act, which authorized certain Commissioners, amongst other things, to build an hospital with moneys to be borrowed on the security of certain lands reserved for public purposes. The Act provided that the Commissioners who had to deal with the matter should be the Superintendent of the Province of Auckland, the members of the Executive Council, and certain members of the Provincial Council. Those Commissioners raised a portion of the money required for building the hospital, but would be obliged to discontinue their operations on the coming into operation of the Abolition of Provinces Act, which took away from the Commissioners all their powers, and which did not provide for a case of this kind. As the building was now nearly completed, it was necessary that somebody should be able to do the work of the Commissioners. If the Act were not passed, the building would simply have to remain in an unfinished state. The present Bill provided that two members of the Provincial Executive and three members of the Provincial Council should be Commissioners. He proposed to meet the difficulty that had arisen by means of this Bill. The Bill provided that the same gentlemen as at present should act as Commissioners, with the exception of the Superintendent, who desired that his name should be omitted from the list. The Commissioners would therefore be Messrs. Reader Gilson Wood, James Thomas Boylan, Patrick Dignan, William Swanson, and George Maurice O'Rourke. It would be their duty to complete the building. Their borrowing power was limited to £25,000, for the simple reason that the rents of the reserves were sufficient only to pay the interest on that amount.

Mr. LUSK did not wish to oppose the second reading of this Bill, but he would point out that there was one objectionable feature in it. The honorable gentleman appeared to be unaware of the circumstances connected with this matter. By the course which he proposed to take, he proposed to do a very serious injury indeed to an educational endowment in the Province of Auckland. It was considered by the Provincial Council to be so very desirable that a large hospital should be built in Auckland that a majority of the members were prepared to throw a very valuable endowment into a common stock for the purpose of giving security for raising a large sum of money, two-fifths of which should be applied to the hospital, and the remaining three-fifths to educational purposes. By the course now proposed, that proportion would be practically reversed, and the educational property which was mortgaged would be made to bear the heaviest part of the burden of building the hospital, which would simply be taking trust property set aside for education and making it an hospital endowment. He thought that ought to be resisted on principle, even if it were not objectionable on the ground of public utility. When the Bill went into Committee, he hoped the Government would be prepared to alter the Bill so as to prevent any injustice; and if they did not, he would ask the House to do so.

Bill read a second time.

TIMARU HARBOUR BOARD BILL.

The House went into Committee on this Bill.

Clause 56.—Governor may set aside certain blocks of land as an endowment.

Question put, "That the clause as amended stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	5
Majority for	...	...	...	...	24

AYES.

Major Atkinson,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray-Aynsley,
Mr. Barff,	Mr. Pyke,
Mr. Bowen,	Mr. Richardson,
Mr. Bryce,	Mr. Rolleston,
Mr. Button,	Mr. Rowe,
Mr. Fisher,	Mr. Shrimski,
Mr. Henry,	Mr. Stevens,
Mr. Hislop,	Mr. Teschemaker,
Mr. Hodgkinson,	Mr. Tribe,
Mr. Hunter,	Mr. Whitaker,
Mr. Kelly,	Mr. W. Wood.
Mr. Kennedy,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Stafford,
Mr. G. McLean,	Mr. Wason.

NOES.

Mr. J. C. Brown,	<i>Tellers.</i>
Mr. Hamlin,	Mr. De Lautour,
Mr. Joyce.	Mr. Thomson.

The motion was consequently agreed to. Bill reported with amendments, which were agreed to, and the Bill read a third time.

OTAGO HARBOUR BOARD BILL.

The House went into Committee on this Bill.

Clause 6.—Port Chalmers Town Council may appoint one member.

Mr. J. C. BROWN moved the omission of the word "one," with the view of inserting the word "two" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	4
Majority for	...	...	...	...	22

AYES.

Mr. Andrew,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray-Aynsley,
Mr. Bowen,	Mr. Rolleston,
Mr. Bryce,	Mr. Rowe,
Mr. Button,	Mr. Shrimski,
Sir E. Douglas,	Mr. Stafford,
Mr. Fisher,	Mr. Stevens,
Mr. Henry,	Mr. Teschemaker,
Mr. Hislop,	Mr. Wason,
Mr. Hodgkinson,	Mr. W. Wood.
Mr. Hunter,	<i>Tellers.</i>
Mr. Kelly,	Mr. Reid,
Mr. Lumsden,	Mr. Reynolds.
Mr. G. McLean,	

NOES.

Mr. Joyce,	<i>Tellers.</i>
Mr. Thomson.	Mr. J. C. Brown,
	Mr. De Lautour.

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Macandrew.	Mr. Tonks.

The amendment was consequently negatived.

The Bill was reported with amendments, which were agreed to.

On the motion, That the Bill be read a third time,

Mr. REID desired to place on record the fact that he should have preferred to have seen a more extended electorate than was provided for in this Bill. It was his wish to extend the electorate from which the Board would be elected. He made that statement lest it might be said that he was acting inconsistently in allowing the Bill to pass without voting against it.

Bill read a second time.

NAPIER HARBOUR BOARD BILL.

This Bill was considered in Committee, and reported without amendment.

On the motion, That the Bill be read a third time,

Mr. SHEEHAN, before that question was put, wished to make a few remarks. The remarks he would make on this Bill would have reference to the whole of the Bills. He might say that it was a practice among certain extreme forms of dissent to "improve the occasion," as they called it. He would desire to improve this occasion. He would not preach a sermon, although he might preach a sermon on these Bills from a particularly appro-

prate text in the Psalms, "And he bringeth them unto the desired haven." He would begin by expressing the deep sense of gratitude which they felt to the Acting-Chairman of Committees for the zealous manner in which he had discharged his duties to-night. It was the custom, when an immigrant vessel arrived safely in the harbour, for the people on board to present the captain with a testimonial, as an acknowledgment of the care and ability with which he managed the vessel during the voyage, and brought them in safety to their desired destination. He would suggest that, in regard to these Harbour Board Bills, they might with propriety acknowledge in some such way the amount of work done to-night by the honorable member for Wairau in passing all these Bills through Committee. These Harbour Board Bills had had many strange vicissitudes. Some of them had been on the Order Paper since the first week of the session, and yet they had all been dealt with at the same time: they managed to fall on their feet. He was reminded of the Scriptural saying, "Cast thy bread upon the waters, and thou shalt find it after many days." In the northern part of this colony, where he came from, there was a very large industry carried on in connection with the cutting down of the kauri timber. It was the custom there in dry weather to cut down the trees and put the logs in the creeks. A dam was erected in front of the logs. In the winter-time the whole of the logs were rushed down into the full broad river, to be afterwards cut up into planks at the saw-mills. To-night's proceedings had reminded him of this feature of the northern timber industry. He had never seen so much log-rolling in one night as he had witnessed that night in regard to these Bills. It sometimes happened that the flood momentum was so great that kauri logs were carried down the rivers and away out to sea. He could not help thinking that that would be the case with regard to many of these Harbour Board Bills which they had rushed through Committee that night. It might appear strange that he himself, having no interest in any of these Bills, should have been found aiding and abetting honorable members in pushing them through. He might say, in explanation, that he had one or two small "logs" on the Order Paper which he desired to have carried down the stream of the House for the purpose of being cut into planks to bridge over what otherwise might be an impassable chasm between him and his constituents; and it was possible that those honorable members who were interested in these Harbour Board "logs" might not feel disposed to give him their assistance if he did not assist them on the present occasion. He must say, in all seriousness, that he felt it a matter of deep regret that a Government comprising such men as Major Atkinson and Mr. Whitaker stood by while the House sanctioned all these Bills being rushed through in the space of three or four hours. If the Provincialists acted in that way with regard to Bills of this nature, they would be jumped upon in the most undoubted manner. There seemed to have arisen a party in the House strong enough to subvert the whole course of business—a party

strong enough now to turn out the Government. It might be called "The Harbour Board Party," and Ministers were afraid to touch them. If the Government had done their duty they would have come down upon these Bills with that iron hand which a few weeks ago they were shaking at the heads of the Opposition. They had not however done so, and therefore they were accessories before the fact. One of their own number, the Minister of Justice, is himself a proprietor of one of these Harbour Bills. Like a Roman Emperor of old, forgetful of his position, he came down from the imperial throne to struggle in the gladiatorial arena. The title of that Bill, "Waikariri," meant cold water; and he thought the House should have thrown cold water upon the promoter's projects. Then there was the Bill promoted by the honorable member for Timaru, who had his particular "log," and was therefore compelled to go with the tide. A few nights ago, they heard that honorable member boldly declare that next year they would go in for making the Land Fund colonial revenue; but he had taken care this session, very properly no doubt, to have a harbour for Timaru constructed out of colonial revenue. "After me the deluge" was evidently the honorable gentleman's motto in regard to his Harbour Board Bills. No doubt, after they had gone on appropriating public money and public estate in this lavish manner for harbours, the colony would come in by-and-by for the crumbs and remnants of the landed estate. There was one cause of satisfaction, however, in regard to all these Bills. If those Bills could speak as they passed from the Chair, they would say with the old Roman gladiators, "*Moriturus, te saluta-mus!*" They would now go to that bourne from whence, for travellers of their suspicious appearance, there was no return. If one could write a motto over the door of another Chamber, they might adopt the motto of Dante's Inferno, and write over the door, "Who enter here, leave hope behind." The passage of these Bills through this House ought to be accompanied by a funeral procession, and the playing of "The Dead March" in *Sawd.* The introducers of these Bills should be made to go along the lobbies as the pall-bearers. There were times when they felt inclined to say, "Thank God, we have a House of Lords!" He had no doubt that in another Chamber the Bills which they had been passing to-night for promoting harbours, wharves, and quays, and gigantic improvements of various kinds would come to nothing. They would disappear, "like the baseless fabric of a vision," and "leave not a wrack behind." There was another moral to be drawn from this whole business. No man here to-night could have watched the manner in which they had discussed these eighteen or twenty Harbour Board Bills without coming to the conclusion, and feeling convinced in his own mind, how utterly unfit the Provincial Councils were for any work of legislation. Why, those miserable bodies would have spent a week over these Bills. They would have wasted the time of the country for a week discussing these measures. They would have gone carefully through the various clauses and discussed the propriety or otherwise of giving

away the public estate in handfuls, in the way that had been done that night. For doing that, for wasting time in that way, they were very properly to be deprived of their functions. It was left to that House to do the work of the country in the quick decisive manner which had been displayed in regard to these Bills. If they could realize one wish, that wish would be that the whole of the population of New Zealand had been in the galleries that evening to look at the pitiful spectacle which the Committee presented. "The Ayes say 'Aye,' the Noes say 'No,' the Ayes have it." That was all. He did not mean any disrespect to the Chairman of Committees. By no means. That honorable gentleman had a great amount of work to get through, and he did it very well indeed. But the spectacle to which he referred was this: that twenty measures—some of them containing sixty clauses, every one of them, he believed, giving the power to borrow and to tax the people, and a great many of them dealing with the public estate and taking large endowments from it—all went by without a word of comment. He did not refer to the obstruction raised by the honorable member for Tūapeka to one Bill; but, taking the whole of them, they went through without a word of comment. Those who were always referring to the extravagance of Provincial Governments and Provincial Councils, and speaking of them in unfavourable terms, could not charge those bodies with dealing with the public estate of the country as the House had been doing that night. A new order of things had been ushered in with regard to these Harbour Board Bills. This was the baptism of the Abolition policy. What had taken place that night was simply the introduction of an experiment—the starting of a new régime. The Parliament would be utterly unable to control these matters. Every man coming to this House would have his own log, and these matters would be dealt with without even going through the form of making a bargain. He had taken no part in the proceedings in Committee. He saw that the House was determined to pass these Bills, that honorable members were anxious to get home to their respective places of abode, and for that reason he did not delay the Bills passing through Committee by raising any discussion. All he could say was, that the Government ought to have stopped this stream of Harbour Bills flowing through the Committee that night. They ought to have prevented them becoming law this session; they ought to have indicated that next session they would come down with a comprehensive Harbour Bill for the whole colony—a measure that would have dealt fairly with all sections of the community; and they should not have permitted the sort of business that had been carried on that night. With these few remarks he begged to say he would not further oppose the third reading of this Bill, or of any of the other Bills that had gone through Committee.

Mr. DE LAUTOUR thought it very inconvenient to have a discussion on the third reading of this Bill just then, because he was sure the House was not in a mood to listen to any criticism on these Harbour Bills, unless it were put

in the very able way in which it had been by the honorable member for Rodney. Honorable members who objected to these Bills, who were not gifted with the easy eloquence of that honorable gentleman, could not hope to command the attention of the House at a quarter to four in the morning. What was it they were discussing? Nineteen Bills! For his part, he objected entirely to these Bills, and thought it was as well that the House should know the work it had done that night. It had performed, perhaps, the greatest parliamentary feat on record. It had put nineteen Bills, with an average of over fifty clauses each, through Committee, and was about to pass them through—and all in four hours. When they were recording feats of swimming across the English Channel, and walking a thousand miles in a thousand hours, it would be well that they should record this parliamentary feat of the General Assembly of New Zealand. He found that in these four hours they had given borrowing powers to certain local bodies in this country to the extent of over three-quarters of a million—the actual amount was £260,000. They had alienated 276,966 acres of the landed estate of the country, which they were told the other day was all pledged for colonial liabilities. When the members from Otago asked the other day to set aside reserves in the interior of their own province, not only for the benefit of the population that was there now but also for those who might come hereafter, and who could not live on these lands unless they were opened up by railways and thus made available: when they asked to be allowed to make a wise provision for the future in that way, and to have the cost made a first charge on the Land Fund, they were told, "No, the Land Fund of the colony can bear no further strain. It is all required for the colonial necessities." And now, as the honorable member for Rodney very properly put it, a Harbour Board party had sprung up in the House strong enough to turn out Governments. Without a single protest nineteen Bills had been allowed to pass through the House in one night, and with the approval of the Government. Before they went into Committee, the Government told them that, as each Bill came on, they would state whether they approved or disapproved of it, but that they did not approve of the lot. Yet, in every case in which they were asked in Committee, they said they approved. The case of the Timaru Bill was, in his opinion, a very gross one. They had there a proposal to spend £106,000, and at the expense of the District of Canterbury, for an experiment in an open roadstead; and at this time, when it was almost a matter of certainty that, if they passed the Loan Bill asking powers to raise a million, it would be refused, and they would have it thrown back in their teeth. Yet they were going in for an experiment in an open roadstead that would cost £106,000 and 50,000 acres of the landed estate of that district, worth another £100,000. With regard to the other measures, as a sample of the policy they had been pursuing, they had given 30,000 acres of land to the Wellington Harbour Board. Now, the charges upon the Wellington Land Fund were

a debit annually of £46,833, or at 7 per cent. equal to a debtor capital of £669,000; and yet with that fact plainly before them, they were giving 30,000 acres of what Wellington had not got to give. The same remarks applied exactly to Hokitika. He ventured to say that not only would a Provincial Council have taken a week over those Bills, but they would not have passed one of them: in every such case they had refused to do anything of the sort. At any rate Otago had. He was certain that Wellington would have made the strongest possible protest. The strongest possible protest that could have been made was made the other night by the Deputy-Superintendent of Wellington; but he was sorry to say that protest was disregarded. He was content with making these few remarks, but he wished to say one thing further. He had no doubt that all those Bills would fall together, the good with the bad. He had no doubt the executioner would be the member of the Government in the other House. They would have the same scene as occurred the other day with the Forests Bill—the Government not daring hardly to oppose that Bill before this House, bitterly regretting that they were forced to divide upon the Bill, and then putting up their representative in the other House to destroy it, after accepting it in a modified form in this House. There would be just the same thing in the other House on these Bills. They would find even the member of the Government assisting to destroy the whole of them—the good with the bad.

Sir R. DOUGLAS, with regard to the passage of the Bills, said he had seen the same expedition used in a Provincial Council, and had seen the whole of the estimates passed through in about a quarter of an hour or at least twenty minutes. He had also seen several Bills rushed through the Auckland Provincial Council in one day just before the Superintendent prorogued it. He did not think the Provincial Councils were a bit better than this House in that respect. With regard to the remarks of the honorable member for Rodney about a party strong enough to turn the Government out, if that honorable gentleman and those with him had chosen the other day to have opposed the Bills, they would have found others ready to help them—a party strong enough to have thrown out those of the Bills that were not fit to be passed. It was very much like clap-net for the honorable member for Rodney to stand up and assert that he and the honorable gentleman who had just sat down were the only just persons, and in fact the only persons in that House who were prepared to oppose these Bills. Why had they not got up before and opposed them? They would have found plenty of members to assist them. But he (Sir R. Douglas) looked upon this matter in a very different light. He was glad to see these reserves set on one side. He was convinced that money not spent on them would be appropriated by the colony, and the greater number of reserves that were set aside now the better, for there was some chance of those reserves being valuable in the future, whereas if they were left to the provincial districts the whole of them would be got rid of in a very short space of time.

Mr. J. C. BROWN said the remarks just made came with very bad grace from the honorable gentleman, seeing that, while most of them had sat there studiously going over the Bills, the honorable gentleman had been absent most of the evening.

Mr. ROWE did not think there was much in the arguments that had been used, either by the honorable member for Rodney or the honorable member for Mount Ida. He hoped these Bills would meet with a better fate than those honorable gentleman prophesied: they deserved a better fate. If they were passed, carried through the Upper House, and faithfully worked out by the various Harbour Boards, they would result in vast benefit to the colony; and he only hoped that a number of other such logs might be rolled that were intended for the good of the colony, and calculated to promote their best interests. When those works that were contemplated were carried out, the colony would possess a very much larger borrowing power than it had at present. He had no fear but that these Bills would result in benefit to the colony.

Mr. HUNTER was surprised to hear the arguments adduced by the honorable member for Rodney and the honorable member for Mount Ida. The administration of these Boards, and the exercise of the powers given, would be confined to the people in the different localities. Those honorable gentlemen must surely have lost sight of that fact. There was no set of Bills which had passed this session that had been more carefully considered than these measures, because they had been brought forward by different individuals, and had been well considered. The Bill of which he had charge was prepared by the solicitor of the Wellington Corporation, and revised by that body, and by members of the Chamber of Commerce. He believed most of the other Bills had undergone similar care; and therefore he for one had no regret for the part he had taken in passing these Bills. By passing them, he thought that the other branch of the Legislature would be conferring a great benefit on the different localities; and he hoped they would continue to pass Bills that would give some useful result to the country for their attendance there. Up to the present time, their progress had been very slow.

Mr. STAFFORD would only make one remark upon a subject that had been twice referred to by the honorable member for Mount Ida. That honorable gentleman talked about £106,000 being given; but he did not seem to have taken the trouble to see from what sources that money was contributed. It was not colonial revenue. It was revenue part of which was an original endowment made years ago for the Timaru and Gladstone Board of Works, which would now be handed over to the Harbour Board for the same object for which it was originally set aside. The other part of the revenue was a vote that had been passed in consecutive sessions by the Provincial Council of Canterbury, who might be supposed to have known what they were doing, and was in the deposit account of the Province of Canterbury at the present moment, available for that particu-

lar object. There was no colonial revenue taken for the purpose. The people of Canterbury had merely determined among themselves as to how they were to spend some of their own revenues, portions of which had accrued years ago.

Bill read a third time.

The House adjourned at half-past four o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 13th October, 1876.

First Readings—Third Reading—Counties Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Cattle Importation Bill, the Palmerston Athenæum Bill, the Auckland Provincial Library Bill, the Dunedin Drill-shed Reserve Bill.

THIRD READING.

The Rabbit Nuisance Bill.

COUNTIES BILL.

This Bill was further considered in Committee. Clause 40.—Definition of county elector.

The Hon. Mr. CAMPBELL moved, That the following words be struck out: "or on the list of miners' rights as hereinafter provided."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	12
Majority for	...	...	...	...	2

AYES.

Mr. Acland,	Mr. Lahmann,
Captain Baillie,	Mr. Menzies,
Mr. Bonar,	Dr. Pollen,
Mr. Edwards,	Mr. Russell,
Dr. Grace,	Mr. Scotland,
Mr. Hall,	Mr. Stokes,
Lieut.-Colonel Kenny,	Mr. Waterhouse.

NOES.

Colonel Brett,	Mr. J. Johnston,
Mr. Campbell,	Mr. Ngatata,
Mr. Chamberlin,	Mr. Nurse,
Captain Fraser,	Mr. Paterson,
Mr. Gray,	Mr. Robinson,
Mr. Holmes,	Colonel Whitmore.

The amendment was consequently negatived, and the clause agreed to.

Progress was reported, and leave given to sit again.

The Council adjourned at ten minutes to ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 13th October, 1876.

First Readings—Sartoris and Downe—Auckland Islands—W. Hutt—Public Accounts—Abolition—San Francisco Mail Service—Abolition—Haward—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Auckland Beach Road Grants Bill, the Douglas Crown Grant Bill.

SARTORIS AND DOWNE.

Mr. STAFFORD asked the Premier, In what manner the Government proposes to give effect to the recommendation of the Sartoris, Downe, and Others Committee?

Major ATKINSON said the matter was under the consideration of the Government, who were very anxious that it should be settled if possible, but they had not yet come to any determination. He would inform the honorable gentleman, in the course of a few days, whether it would be possible to settle it this session. The Government did not concur in the report of the Committee, which was at present before the House, but they would, if they could see their way to do so, submit a proposition to the House.

AUCKLAND ISLANDS.

Mr. LUMSDEN asked the Government, For what term, and on what conditions, the lease of the Auckland Islands has been granted to Dr. Monckton, of Riverton; and whether any steps have been taken to ascertain if the conditions of such lease are being complied with? An impression existed in Southland that Dr. Monckton had leased the Auckland Islands upon certain conditions, one of which was to maintain at the islands a dépôt of provisions, which would be available for any shipwrecked persons. A report which appeared in a paper on the previous day, respecting the visit of the schooner "Hira" to the Auckland Islands, seemed to him to be inconsistent with the idea that the conditions were fulfilled. The report, after referring to the visit of the "Hira," went on to say, "At Ross Bay she supplied Nelson and his wife, placed there by Dr. Monckton, with provisions. They were nearly starving, subsisting on seal-flesh and shell-fish." He fancied the statement must be a mistake; but, if true, it showed that the supposed conditions had not been complied with.

Major ATKINSON said there was no doubt at all that Dr. Monckton had not fulfilled the conditions of his lease, and the matter had been referred to the Law Officers of the Crown, with the view of determining the lease. The last payment which would have been due had the lease been fulfilled was not made. The issue of the lease was stopped directly the Government received the report of Captain Suttie, of H.M.S. "Nympe," of the failure of Dr. Monckton to carry out the conditions of the lease. He thought

there must be some misstatement as to the condition in which the people were found at the Islands, because Captain Suttie left a considerable supply of provisions; and therefore he believed the statement the honorable member referred to was exaggerated. There was no doubt the lease had not been fulfilled; and the Government were taking steps to determine it.

W. HUTT.

Mr. CURTIS asked the Government, Whether they are prepared to give effect to the recommendation of the Public Petitions Committee in their report upon the petition of William Hutt and others? He need hardly urge upon the Government the necessity for settling this affair, if possible. The Petitions Committee recommended that land scrip of the value of 80s. for each pound of the original purchase-money, to be exercisable in the Province of Wellington, should be issued to the claimants. He was not sufficiently acquainted with the whole of the merits of the case to express any opinion as to the decision of the Committee, and he merely wished to know whether the Government were prepared to carry it out.

Major ATKINSON said the Government were not prepared, at the present time, to give effect to the Committee's report. If they did so, it would open up a very wide question. He thought the petitioners had a very just ground of complaint; but it was impossible to settle the matter without giving it due consideration, which it could not possibly receive until the recess.

PUBLIC ACCOUNTS.

On the motion of Mr. WHITAKER, it was resolved, That the decision of the House of the 21st of June last, that Mr. Rees's name be not added to the Committee on Public Accounts, be rescinded; and that the names of the Hon. Mr. Reynolds and Mr. Rees be added to the Committee on Public Accounts.

ABOLITION.

On the motion for going into Committee of Supply,

Sir G. GREY said,—Before you leave the chair, Sir, I have a motion which I wish to bring under the notice of the House. For the first time, this morning I have read a despatch and its enclosures, addressed by the Governor of this colony to the Secretary of State upon the 21st June instant—whilst this House was in session. I propose to make some remarks in justification of my own conduct, and to shield myself from the attacks made upon me in that despatch. With a view to so doing, I wish to conclude my remarks by moving the adjournment of the House. I am sure the House will feel with me that it was impossible I could have read this despatch without receiving what I may call a severe shock to my feelings. I had not the least idea that such a document and its enclosures were in existence. I think I shall show to the House, in a very few words and a very short time, that such a document ought not to have been written; that it contains aspersions upon my character which are

utterly without foundation, and which, if they were intended to have been made, ought not to have been concealed from me. Without troubling the House with any lengthened remarks upon the constitutional question involved in this despatch, I will simply say that the expressions used with reference to these constitutional principles are not a fair statement of the principles which are at stake, nor are they a fair representation of the circumstances of this country, or of the changes about to be made. I need hardly remark that the General Government of this colony themselves proposed in the first place to make the abolition of the provinces but a partial measure, and that idea was no original conception of mine. It was the carrying out of a plan which they pledged themselves to carry out, solemnly assuring the constituencies they would not make abolition a general measure. From that determination they afterwards departed. Well, Sir, not only did they do that, but a statement is made to the effect that the calculations I have made with regard to the population of Auckland and Otago are unsound. But my calculations were the calculations of the Government, taken from their own official returns. I adopted them as being the best I could get, and as being those which I thought the Government themselves would not impugn. Then, Sir, there is no allusion whatever, in this despatch to the Secretary of State, made to the nature of the other branch of the Legislature in the colony; nor is there any allusion made to the way in which small constituencies return so large a number of members to this House—constituencies which from various causes are under the influence of the Government of New Zealand. I will not trouble the House upon these points, but I will make representations in another quarter in order to disabuse the minds of persons not acquainted with the circumstances of the colony, of the impressions the despatch will make upon them. There are other circumstances in connection with the document, however, to which I must allude. I object to its style, to the language used in it, and I object still more to what to my mind is a very sad revelation indeed, which is made in this despatch. It is quite certain that the writer of that document does not hold the position which our Most Gracious Sovereign has always desired that such an official should hold to her subjects—a position of impartiality, a position of fairness to all parties, and especially to all public men. I am sure Sir, that no unbiassed mind can rise from a perusal of this despatch with any other feeling than that it emanated from a political partisan. I say that with all confidence. I have read it in an utterly dispassionate manner, unmoved by the allegations against myself which it contains, and not feeling injured thereby, because I am certain that nothing ever was written which will redound more to my advantage, or to the advantage of the cause I am endeavouring to promote. Now, Sir, there are some statements made in this despatch which it is impossible for me to peruse without almost indescribable regret. Let me suppose for one moment that the Sovereign at Home allowed

private persons to entrap or to force into conversation unthinking men, and then allowed those conversations to be repeated to her by her Private Secretaries, or to be placed in writing before her, so that men who might possibly become her Advisers might come before her with a traduced character, come before her in such a manner that—she believing these reports in the manner in which this writer certainly does believe the reports he has received—it would be impossible that those persons who might become her Advisers should possess her confidence. Supposing, too, that the Queen, having from time to time received reports so damning, I may say, to the character of a public man, yet from time to time met that public man with smiling face and with friendly mien, but all the time entertained such sentiments in her secret heart with regard to him, it is impossible that confidence should ever exist between Her Majesty and a statesman when he discovers it. But there is something here even worse than that. Here, the only medium allowed to us between ourselves and our Sovereign is the writer of this despatch. Between myself and Her Most Gracious Majesty relations have existed for many years. Aspersions of a nature which I myself could hardly characterize, and to which perhaps I ought hardly to allude, have been made against myself by a person who should not have tried to destroy me in Her Majesty's regard. I refer to the writer of this document, which contains accusations against me which, if believed, must have blasted my character for ever with my Sovereign and her Advisers. I submit that a thing of this kind has been hitherto unknown. In this letter, enclosed in the Governor's despatch, the writer of it simply authorized the Private Secretary, to whom it was written, to show it to the Governor, but to no other person. It was bad enough to have done the first thing, but the second transaction is, I consider, an act of gross treachery and injustice towards myself; and what is more, I say that the writer of this despatch and his Advisers must themselves have known that some of the statements it contains are untrue. Sir, I can prove that in a few words. There is a statement—

Major ATKINSON.—Sir, I rise to a point of order. The honorable gentleman is making statements which, it appears to me, are entirely unparliamentary. I do not know whether it is my duty or yours, Sir, to call the attention of the House to this fact; but when any honorable member of this House states that what has been written in a despatch by His Excellency, he, the Governor, knows to be untrue, I take it to be quite time for the House to stop the use of such language. I thought, by your ruling the other day, that you would prohibit the introduction of the Governor's name into debate in such a way as this.

Mr. SPEAKER.—It appears to me that, when a document is laid on the table of this House, it is quite competent for any honorable member to speak on it and refer directly to the writer, so long as what is said is said in language that is respectful. It seems to me that the honorable member for the Thames has a right to speak, under these conditions, on this subject.

Mr. ANDREW.—The words used were not merely that this document contains misstatements, but that the Governor knew it contained misstatements.

Sir G. GREY.—I submit that I never used the Governor's name in that way. I say that His Excellency's Advisers must have known that the statements made in this document are untrue.

Major ATKINSON.—The limitation of reference to His Excellency is within your province, Sir. I only called the attention of the House to the fact that language had been used which, it seemed to me, was perfectly unjustifiable. I regret extremely that such language should be used.

Mr. SPEAKER.—If any language is used which is not proper, it is my duty to draw attention to it; and if I fail to do so, it is competent for any honorable member to draw my attention to the fact. I do not think that the honorable member for the Thames, in his remarks, transgressed the proper bounds. I think that when a document is placed on the table of the House, it becomes a fair subject for comment.

Mr. ANDREW.—I rise to make a personal explanation, Sir. I wish merely to say that I should not have risen in the first instance had I heard distinctly what the honorable member for the Thames says he said. It seemed to me that he did not use the words "the Governor or his Advisers," but "the Governor and his Advisers."

Mr. HUNTER.—I submit that the honorable member for the Thames has, in distinct terms, mentioned the Governor's name, notwithstanding that you have ruled on a previous occasion that His Excellency's name should not be brought up in any debate.

Mr. SPEAKER.—I hope there will be no misunderstanding about this. It is not right capriciously and without cause to import into the debates of this House His Excellency's name; but if papers are laid on the table emanating from His Excellency, it is quite competent for an honorable member to refer to the writer of them—in fact, it is absolutely essential and cannot be avoided. The only question then is, whether the comments are of such a nature as to affect the dignity of this House. In this case, I think the honorable member for the Thames was quite in order in his remarks.

Mr. PYKE.—Sir, speaking to a point of order, I should like to draw the attention of the House to a parallel circumstance which occurred not very long ago. I was punished by this House for uttering, in an under-tone, the word "discreditable." I should like to know whether that is a stronger word than the word "untrue," as used by the honorable member for the Thames. I think the House should remember this parallel case.

Mr. W. WOOD.—Sir, I take it to be one of the privileges of this Assembly that it may take the part of any member who is slandered; and I think that we should do so, and deal with the person who slanders, no matter what his position may be, just as we would with the humblest individual.

Mr. SPEAKER.—There can be no doubt that

any member of this House who has been injuriously referred to in papers placed before this House has a perfect right to defend himself against any charges or imputations that may be made in those papers regarding him.

Sir G. GREY.—Sir, the Premier has shown throughout this session a determination to destroy me. I stand before this House appealing to it, and possibly pleading for my life, because the charges made against me amount almost to treason, and certainly assail my honor; and under such circumstances, if a word of unguarded strength escapes from my lips, I may well be excused, particularly when I remember that the Premier at the beginning of this session, acting as the speaking-trumpet of another Minister of the Crown, jumped up, and, in reference to a statement of mine, plainly used the words, "That is not true." Sir, you very properly said, when I called your attention to those words, that they would reflect disgrace upon him and not upon myself if they were not justified; and I submit that a man pleading in a cause like this should not be subjected to interruption of this kind. I will prove what I said. There is a statement in this despatch to the effect that I spoke of the necessity of my taking over the police of Auckland from the General Government in view of the possibility of conflict between the Provincial and General Governments. The precise words are not pretended to be given, because the writer says the conversation took place twelve months previously—a conversation of which I have no knowledge, and which must have been extorted from me by a person who acted the part of a spy with the deliberate intention of reporting my words to the Governor. I knew that the Ministry had had recourse to unfair means to injure me, but I did not know the company with which I was brought into contact. But, Sir, even the words themselves bear an interpretation very different from that which is put upon them here. The words are that "there might come a time when, in some conflict of authority between the Provincial and Central Governments, I should find myself seriously embarrassed by reason of the control of the police being out of my hands." Now, Sir, I believe I was the only Superintendent in the colony who was not allowed to have the control of the police. I determined to assert my right to that control; and I was successful at last in wringing from the Government the admission that I had that right. And then, Sir, what did I do? Having succeeded in that object, I did not take over the control of the police; and the Government knew perfectly well when they sent Home this despatch that I had had that offer, that I did not avail myself of it, and that the police were left under the control of the Government, as they remain to this moment. Now, Sir, I ask, were the Government justified, knowing that, in implying that I was endeavouring to get control of the police for traitorous purposes? Why did they not say, when they received that letter, "You must be mistaken. The Superintendent could have taken over the police had he chosen, but he has not done so. He has left them in our hands"? I was

quite right in saying that a conflict of authority might take place between myself and the Government with reference to the police. I believe that, had the police been under my control, I could easily have secured that Native who committed so desperate a murder in the vicinity of Auckland; but I was not allowed to do so, because the police were not in my hands. I therefore was justified in saying that either the writer of this letter or his Advisers must have known that, in the despatch sent to the Secretary of State, they did not represent that which was true. Sir, this system of espionage, with which I have been surrounded, has prevailed for a long time. I have been the victim of persons who, under the guise of friendly feeling, have been deliberately plotting my ruin in another country. The writer of this despatch states,—

"Mr. Dargaville was at the time a member of the Provincial Council of Auckland, and the occurrence he narrates occurred about a year ago, before the meeting of the General Assembly, and consequently before the Abolition Bill was before the public. The circumstance came to my knowledge soon after it took place."

I would ask, Sir, how that came to the knowledge of the writer of this despatch; and why, after it came to his knowledge, was no opportunity of explanation afforded to me? Why should I feel that, at the present moment, I perhaps stand a degraded man in the estimation of that one by whom, amongst all mortals, I would wish to be thought well of, and by whom I have been thought well of for so many years? I declare solemnly that I would not have made such accusations against another as have been made against me. I would have shrunk from so doing with horror and shame. And let me tell the House this: that the whole of these accusations—one of which I have now disposed of—rest upon the authority of one gentleman and the Private Secretary of the writer of this despatch—that, I believe, is the relation in which they stand to each other—and I here affirm that the gentleman whose letter I relied on for this accusation is entirely unknown to me as an associate or companion. I have never met him in any private house. No relations whatever of a private nature have existed between us at any period of time. He has stopped me in the streets, and asked me questions which I wished to avoid. I have met him once or twice at the Auckland Club; and absolutely one of the reasons on account of which for many months I avoided entering that club, except for a few moments during the day-time, was to get clear of the writer of this letter, who appears in a correspondence with the highest personage in this colony through his Private Secretary. Once or twice he has called at my office on public business; but no conversation has ever passed between him and myself except on one occasion when a statement was extorted from me under the circumstances I have stated. Then the writer of this despatch, which is sent Home to the Secretary of State and is especially intended for Her Majesty's perusal, makes another serious charge against me in these words:—

"As, however, Sir George Grey has seen fit to make this formal complaint to your Lordship, I now distinctly charge him with being himself the first to give currency to a report similar to the one he has brought under your Lordship's notice; and, in support of this accusation, I enclose to your Lordship the copy of a letter which has been addressed by Mr. Dargaville to my Private Secretary, for my information."

Sir, I assert that I was never asked a single question connected with these circumstances; I was not allowed to send Home a denial of the fact at the same time when this letter was sent; it has been in circulation in England for some considerable period of time, I being in entire ignorance that such slanders were being circulated against me; and I now declare to this House that I was in no respect whatever the author of this statement. The statement was made to me a considerable time ago—at a time anterior to that stated by the writer of the letter. I did not then credit it, but the gentleman who told me, who is a supporter of the Government, regarded it as a perfectly natural thing, and as a thing true in fact. He could see nothing extraordinary about it; but I was filled with surprise, and certainly did repeat the statement to one or two other persons. The whole circumstances then passed from my mind; but afterwards, when I wrote my letter to the Governor on the 5th June, I stated that I was assured that warnings of this kind were being circulated in Dunedin, and were producing a great effect. I saw the statement in a newspaper, and quoted it in my letter to the Governor. That statement was to the effect that opposition to the Ministry might involve the city (Auckland) being cannonaded by the men-of-war in the harbour. I first saw that statement in the *New Zealand Herald*. The proprietor of that journal, as good and noble-minded a man as ever lived, has passed away regretted by all; but the editor of the paper is still there, and let him say whether, directly or indirectly, I had anything to do with the circulation of that report. I next heard that the statement had been circulated in Dunedin, and I was again very much surprised. I have no doubt the gentleman who informed me of this spoke the truth in telling me what he did. He had been in Dunedin for a considerable time, and he came to Auckland. He told me what the threats were which were circulated there. That report found its way into an Auckland newspaper. That report had two effects. One was that it led the supporters of the Government to use language which irritated those who were opposed to them; and it discouraged men who thought with me, and who shrank from doing anything which might bring about any difficulties in any possible contest in this country. I thought it was a wrong use to make of the power vested in the hands of the Government of this country to allow such warnings to go abroad, and that it was their duty at once to have contradicted them. They could have contradicted them instantly. I think it was wrong of them to have written this despatch and to have sent it Home without allowing a

contradiction to be made, and without allowing that document to be made public until last night or this morning, when it was first made known to myself and to this House. I venture to say further, on this point, that the conversation I am reported to have held on this subject I cannot recollect. It is possible a question may have been asked me. It is possible a reply may have been given. I think, from a knowledge of myself and my manner, that the words put into my mouth are not the words I used. Words which I am supposed to have uttered twelve months ago are put into writing, and form part of a State paper. Ought a man's character to be taken away upon such evidence as that? Ought not, in all common justice and fairness, this letter to have been sent to me before it was transmitted to the Secretary of State, so that my remarks upon it might have gone Home at the same time? I say, Sir, that this is one of those attempts which the present Ministry have made in every possible manner to damage myself. The Press is under their control. I must use this word, and I believe it is parliamentary: the Press is bribed by them. I use that word advisedly, and they know it themselves. I believe that the Premier has become callous to shame in a great degree. I believe that a continued wrongdoing in many respects, and a success in that wrongdoing, has hardened his mind to the thoughts which he ought to feel. He must know not only that the Press is brought under the influence of the Government, but that they use their position in this House to appoint members of the House as editors of their newspapers, influencing at once persons in this House, the writers, and, out of the House, the paid individuals. They must know that they have done much to corrupt the Press. Why, even in the Abolition Bill, they provided that one newspaper in each provincial district was to be considered as the Government *Gazette*. They specially put that into the Abolition Bill, and it appears in that Bill now. Not only in that, but in the Debtors and Creditors Act also they use their power to give sums of money to their own newspapers. Every means has been put in action to ruin myself, and to stop me in the course that I am pursuing. The Press has been employed, and the writer of this despatch has been employed, to damage me with my Sovereign and with my fellow-countrymen at Home. The *Times* newspaper has been employed by the correspondent of that journal in this colony—in this correspondent they have used every means for that purpose; and I say that this last attempt, which has been discovered now, is the worst of all. I ask, what redress is there for us under such circumstances? To whom are we to appeal? The Crown is known to be the fountain of justice. If that fountain is now muddied by partisans and by partisanship, where are we to fly for refuge? What are we to do? What hope is there for anybody? Let them fairly bring their accusations forward in this country, and let me defend myself. I see no hope of safety for myself or for any other person who happens to incur their displeasure. Nothing to me could be more pain-

ful than to find that the mind of those whom I valued, and whose esteem for me is one of the most precious things in this world, has been thus secretly poisoned against me, and months must elapse before justice can be done me at Home, if it can ever be done. I appeal to honorable members to try to find some means by which the shield of protection can be thrown around those who sit here, that they may be protected from slanders of this kind.

Mr. THOMSON.—I think the honorable member for the Thames has made a very calm and dignified statement, especially when we consider the very grave charges that have been made against him. The honorable member has spoken in a very subdued spirit, apparently arising from the gravity of the charges made against him. If the honorable gentleman is guilty of the charges which have been made against him, he is, in fact, not fit to sit in this House. The honorable gentleman is charged with inventing or giving rise to a certain report, and he is accused of doing this for party purposes. And, Sir, even stronger charges are brought against the honorable gentleman. The tone in which the honorable member for the Thames has addressed himself to this question is very different indeed from the tone of the despatch to which reference has been made. The style of this despatch is in the very highest degree objectionable. This is a State paper which is to be bound up with the Votes and Proceedings of this House. It appears to me that it is not written in that calm and dignified style in which a State paper ought to be written. It is very different indeed from many of the State papers that we have been accustomed to read. It is very different indeed from the style of the despatch of the Secretary of State, Lord Carnarvon, that has been so frequently referred to in this House this session. That despatch was written in a very dignified and calm style. His Lordship expressed a doubt as to whether the General Assembly could abolish the provinces, and simply expressed a hope that, should the provinces be abolished, the hopes of the General Assembly would be realized. But the despatch we are now considering seems to me to be written, I may say, in a partial spirit. And, Sir, looking at this letter, it seems to be written, not by the Officer Administering the Government of New Zealand, but by Sir Julius Vogel himself. It is quite in his style. If honorable members wish to satisfy themselves on this point, they have only to read the memorandum that was sent Home in regard to the Loan Agents, and the letters that were sent to the various banking inspectors throughout the colony. It seems exceedingly wrong that the Officer Administering the Government of New Zealand should send a despatch Home written by his Responsible Advisers. His despatches are presumed to be his own. Despatches are often founded upon memoranda which are enclosed. We have the memorandum of the Government to His Excellency the Governor on this question. For this memorandum he is not responsible, but for the letter sent by the Officer Administering the Government of this country to the Secretary of State, that officer is individually responsible.

That being the case, he should be very particular in regard to writing such a document himself. Then the question arises, why has this despatch not been laid upon the table months ago? This despatch, I find, was written on the 21st June, nearly four months since. I presume the Government have kept back this despatch because it was objectionable, and produced it now simply because they could not retain it longer. The honorable member for the Thames says he asked for it. If the honorable gentleman asked for this despatch, why was it not laid on the table months ago?

Sir G. GREY.—I asked for it the other day.

Mr. THOMSON.—At all events, the document ought to have been laid on the table the day after it was written. This is a document that reflects very seriously on the character of the honorable member for the Thames, and, such being the case, it was the bounden duty of the Government, if they did not submit the document to the honorable member before sending it Home, to lay it on the table the day after it was written, so that the honorable gentleman might take what steps he considered best under the circumstances to vindicate his character. I think the despatch has been detained thus long simply because it could not be detained any longer. It has been written four months. Letters have been sent Home since this despatch was written, and answers have been received to them. I presume that there will be something in the Home papers regarding this very despatch, a despatch reflecting so seriously upon the honorable member for the Thames, who is well known at Home. I think it is a pity that this despatch was ever written, and it is also a pity that the Government did not lay it on the table the very day after it was sent Home.

Major ATKINSON.—I am sorry to have to trouble the House with any remarks, but perhaps it is right that I should say a few words. The honorable gentleman has made what is, for him, a very temperate speech.

Hon. MEMBERS.—Oh, oh!

Major ATKINSON.—Yes, Sir, I say, for him.

Hon. MEMBERS.—Oh, oh!

Major ATKINSON.—I will repeat it, in order that honorable members may understand what I am saying. I say, the honorable gentleman, for him, made a very temperate speech. Although he complained of being slandered himself, he did not give way, as he usually does, to slandering Ministers—to the usual extent which he does. He was content upon the present occasion—

Mr. W. WOOD.—Sir, I call attention to the words used by the honorable member—"he did not give way as he usually does to slandering Ministers." I should like to know if you think they are proper words for the honorable member to use, or for any other honorable member to use.

Mr. SPEAKER.—I do not think the honorable member is out of order.

Major ATKINSON.—I am going to quote the words the honorable member used to-day. He says, I am "shameless with greed in having provided estates for my friends." If the honor-

able gentleman will use that language outside this House, I will give him an immediate opportunity of proving it in the Courts of law, to which he is so ready to apply. That, Sir, is a distinct challenge to the honorable member, but which I fear he has not the moral courage to accept; if he accepts it, he will see whether I have grown shameless enough to supply my friends with large estates.

Sir G. GREY.—I said nothing about that to-day. I used no such terms to-day.

Major ATKINSON.—Will the honorable member tell me what he did say?

Sir G. GREY.—Not to-day.

Major ATKINSON.—Yes, to-day. "Shameless with greed."

Sir G. GREY.—I say No. Sir, I assure you I said nothing of the kind. I said the honorable gentleman had grown shameless in the pursuit of things of this kind. I used no such words as "estates for his friends" or "for greed."

Major ATKINSON.—I take the honorable member's disavowal. I believe that I distinctly heard the words; but it is possible I may have been mistaken. I think I can leave it to honorable members who heard the words. Then the honorable member went on to say that we had deliberately—

Sir G. GREY.—Sir, an honorable member (Mr. Richmond)—the honorable member for the Suburbs of Nelson—used words. Perhaps he will repeat them.

Mr. RICHMOND.—I say the honorable member for the Thames used the words, "employing spies and bribing the Press."

Sir G. GREY.—Yes; "employed spies and bribed the Press"—and I meant it.

Major ATKINSON.—I am not particular about the words the honorable member uses to me. I am perfectly content, as I have stated in this House, to let the public of New Zealand judge between us. The honorable member goes on to say that the whole course of our legislation has been to corrupt the country; to bribe members: that we have spies watching the honorable member throughout the country. He has been pleased to say that Mr. Dargaville, whose character, I venture to say, will bear comparison with his own, and should, at any rate, protect him from such statements, was employed as a spy by the Government of the day to trap him into—I really do not know what.

Sir G. GREY.—I said nothing of the kind. I said he acted as a spy; which he distinctly did.

Major ATKINSON.—I am very sorry I appear to have misheard the honorable gentleman all through. At any rate, I must trust to my own memory instead of the honorable gentleman's. I say distinctly that the honorable member said that we employed spies, and that this gentleman was employed as a spy for the purpose I have stated. That is my impression—I may be right or wrong. I would point out that an honorable gentleman who is so very free with such false accusations as I enumerated, who scarcely ever rises in his place without accusing Ministers of the most shameful crimes—which

accusations he must know are untrue—is not a subject for much compassion, even supposing the statements he has made that he has been misrepresented were according to fact. But, Sir, they are not. I will remind the House of the circumstances under which His Excellency's despatch was written. The honorable gentleman himself thought proper to address the Secretary of State direct—against all constitutional usage, against usage he himself complained of being not observed. He even went so far, when Governor, as to request the Secretary of State at Home to return unanswered letters addressed to him from the colony until they had gone through the Governor. The honorable gentleman thought proper to address the Secretary of State direct, and only forwarded the letter to His Excellency in time to be too late for the mail. It is very unfortunate that the honorable gentleman is always obliged to put off his correspondence with the Home Government, so that he has not sufficient time to communicate with His Excellency to enable His Excellency to comment upon his letters. This despatch, of which the honorable gentleman so much complains, was written to comment upon a despatch which the honorable gentleman had thought it right to send direct to the Secretary of State, without giving His Excellency an opportunity of commenting upon it. I would ask the House to remember this, and that His Excellency's despatch was one commenting upon a letter which the honorable gentleman had succeeded in sending to the Secretary of State so as to gain time upon the Governor. What does the honorable gentleman endeavour to convey in that letter? He represents it as probable, and adds the weight of his own name to it, that Her Majesty's representative in this colony was going to cause Auckland to be bombarded by Her Majesty's ships, at the instance of the Ministry of the day, for party purposes. I ask the House whether a gentleman who will take a newspaper report, and not give it simply as a newspaper report, but who adds the weight of his own name to it, saying he has reason to believe the thing is true, has any cause to complain of comments which His Excellency thinks it necessary to make upon such a document?

Sir G. GREY.—May I rise to a personal explanation? The statement I made in the despatch was this: that I believed it was true that the supporters of the Government had been making those statements. That was my allegation.

Major ATKINSON.—The letter is before honorable gentlemen, and they know exactly what was implied and what was written. Do honorable members think that the honorable gentleman would have asked the Secretary of State to telegraph out that Auckland was not to be bombarded, if he did not believe that such an act was possible and probable? I venture to say there is not a single person in Auckland, except the honorable member (Sir G. Grey), who believed it for a moment; and I venture to say that the Home authorities will treat the rumour with the contempt it deserves. To say that persons in Auckland were deterred from taking action in

political matters on account of a fear of Her Majesty's ships bombarding Auckland, is simply ridiculous. The despatches of His Excellency are written by himself, and not by Ministers. He communicates direct with the Secretary of State, and Ministers have nothing to do with writing his despatches in any form or shape; and the honorable member for the Thames must know that perfectly well. I will read the words of the honorable member's letter, so that the House may see whether I have misquoted:—"I am so entirely satisfied of the honor and good faith of the paper from which I quote that I feel sure there are substantial grounds for the statement it contains."

Sir G. GREY.—Will the honorable gentleman read the statement in the newspaper? I submit that should be done, so that the House may know what the statement was. It was that the followers of the Government were spreading certain reports.

Major ATKINSON.—With regard to the letter, honorable members are of course as capable of forming an opinion as to its correctness as I am; they have all the facts before them. I have no doubt that the country will indorse every word of His Excellency's despatch. I distinctly indorse every word of it. If the despatch had not been absolutely true—if the honorable gentleman did not feel its truth—we should not have had that speech from him to-day. The reason why the despatch was not laid on the table before is simply this: that His Excellency desired to obtain an answer from the Secretary of State to the letter of the Superintendent of Auckland, written on the 5th June, and also an answer to this despatch, before communicating it to the House. One of these documents, as I have said, was a commentary on the other, and His Excellency desired that the reply of the Secretary of State should be received before they were laid on the table of the House. The honorable member's letter has been laid upon the table now, because he expressed a desire the other night that it should be produced. Upon that desire being communicated to the Governor, His Excellency consented to the despatch being laid on the table. I need not trouble the House further than to say that if the honorable member has real cause for complaint—if he can deny any of these statements that have been made against him—he has the ordinary means of redress open to him. He knows as well as anybody how to avail himself of those means; and when the correspondence is ended it will be for the country to judge who has taken the right course. I have not the slightest doubt what the verdict of the country will be.

Mr. SHEEHAN.—If it had not been for the assurance which the honorable member has given that His Excellency writes his own despatches, I should have recognized in the speech of the honorable member the Roman hand that penned this despatch. It appears to be identical in feeling with the despatch itself.

Major ATKINSON.—No doubt. I entirely indorse that despatch.

Mr. SHEEHAN.—There is not the least occa-

sion to say that, because the honorable gentleman is just the man who would indorse such a despatch, which is just on a par with many speeches he makes in the House. He was good enough to characterize the speech of the honorable member for the Thames as a temperate one for him; but when I recollect the intemperate speeches which the honorable member himself has made in this House, I think he might have left that amount of faint praise to come from somebody else. The honorable member for the Thames made a calm, impartial, and unimpassioned speech, and it would have been well if the despatch to which we are now referring had been written in the same spirit. The honorable gentleman says he is content to leave it to the people to judge between the Government and the honorable member for the Thames; but I tell him that the people have been judging and are now judging, and in two of the most important places in the colony they have judged most emphatically against the honorable gentleman at the head of the Government and his colleagues. The population of two provinces—each of which contains a larger population than did the whole colony when first it received its Constitution—have given a most emphatic decision against the present Abolition proposals. The honorable member says he has no sympathy for the honorable member for the Thames. That is also an entirely unnecessary statement. We know perfectly well he has no sympathy for the honorable member for the Thames—that it is just the other way—but we have this consoling assurance, that the honorable member for the Thames does not require his sympathy. He is able to take care of himself, and my honorable friend will have to be very assiduous indeed if he gets the upper hand of the honorable member for the Thames either in this or any other business. The honorable member says in effect that the honorable member for the Thames delayed sending his despatch to the Governor until it was too late for the Governor to make any comments on it which would accompany it to the Secretary of State. That, in itself, is a charge against the honorable member for the Thames of burking any comments that might otherwise be sent Home by the Ministry on his despatch to the Secretary of State. I do not think that is a charge which should be made by gentlemen who are complaining night after night of unfair charges being brought against them. I think a Government who so constantly complain of unfair charges being made against them should be very careful how they make charges in return. The honorable gentleman says no one believes this statement about force being employed against those who are opposed to the Abolition Bill coming into force. That is not the question. The question is, Whether persons claiming to be in confidential relationship with the Government—I will not call it having private entry by the backstairs, but having intimate and confidential relations with the Government—did make statements of this kind. I say they did. I say that in the Province of Auckland threats of that kind

were frequently made by Government supporters during the recent elections; and it is but a fair inference that, when people were voting upon this question of abolition, statements of this kind, that Her Majesty's ships, and armed force if necessary, would be made use of to enforce abolition, would have some effect. It is equal to saying, "We have to put abolition into force, and we will compel you to elect persons who will help us to do so." Why, Sir, in the very lobbies of this building, I have heard these statements made, not in jest, but deliberately made, that, no matter what the opposition might be to this measure, it would be put into force, and that any attempt in the Province of Otago or Auckland to prevent it would be met by the employment of force. I heard the other day members who support the Government say they would themselves come up to Auckland and assist in putting abolition into force. I tell them, if they have that intention, they had better think carefully before they act upon it, because it might so happen that, after they got there, there might, on the part of afflicted relatives, be inquiries after missing friends. I do not know, of course, where the line ought to be drawn in commenting on despatches written by His Excellency the Governor; but I apprehend, whether he writes them himself or not, he derives his information from Ministers, and consults them as to the subjects upon which he writes. I contend, therefore, that we are fairly entitled to hold Ministers responsible for this despatch, and to characterize its language and terms as we think fit, without any disrespect to the Governor. The honorable member at the head of the Government has given me that permission by indorsing the statements made in the despatch. I say, therefore, that this despatch is a very unfair and one-sided statement of affairs. I have been accustomed to read Governors' despatches. I have read the despatches of the honorable member for the Thames, I have read the despatches of Governors of the Australian colonies, and of other Governors of this colony, and I have always found the same high, impartial, gentlemanly tone in those documents—as unimpassioned utterances as those of the Judges on the bench. It is not right that the Governor of the colony—the representative of Her Majesty in this country—should take the side of any party in his despatches; but the Government have placed His Excellency in that most unfortunate position. I will assume that the belief of the honorable member for the Thames is entirely unfounded—I will assume that his statements are as wild as possible: is it a proper thing that, in a despatch to the Secretary of State—a document that is a State paper—His Excellency should use such an expression as this: "I should certainly have treated it as a bad joke"? That is not the language in which a despatch from the Governor of a colony should be couched. The whole document is written in the style of a sharp newspaper article, and to call it a despatch or State document is, to my mind, a misnomer. The Governor is made to say to the Secretary of State, in reference to the policy of abolition, and in regard to the opposi-

tion to it, "That feeling is certainly not unanimous, except, perhaps, in the city of Auckland and its immediate neighbourhood." We have had evidence this session, and very strong evidence too, that even the most remote outlying districts, which were formerly in favour of it, are now opposed to it. I say it is especially wrong that the Governor, in making these statements to the Secretary of State, should have been called upon to make statements which, I regret to say, are not in accordance with facts. The honorable member for the Thames has explained, and explained satisfactorily, the attempt to make out that he substantially indorsed the truth of the assertion that ships of war would be employed to enforce abolition in Auckland, so that I need not refer to that matter. But I come to a much worse point in this despatch. It is stated,—

"As, however, Sir George Grey has seen fit to make this formal complaint to your Lordship, I now distinctly charge him with being himself the first to give currency to a report similar to the one he has brought under your Lordship's notice; and, in support of this accusation, I enclose to your Lordship this copy of a letter which has been addressed by Mr. Dargaville to my Private Secretary for my information."

It is a common practice among aged females, when an accusation is brought against them, to retort with another charge, without the slightest justification; but, Sir, is it for a moment to be supposed that a public man of such high standing as Sir George Grey—a man who has been Governor of this colony and whose reputation is well established—should have charges brought against him founded upon a private letter from a private citizen to the Governor's Private Secretary? We who know Mr. Dargaville know perfectly well that his statements on political matters must be received with a large amount of caution. He is well known in Auckland as a disappointed demagogue—a man who tried hard to be elected Superintendent, and spent thousands of pounds, or rather promised to spend them, in the attempt, but failed. He was then returned to the Provincial Council by those very persons who had opposed his election to the office of Superintendent, because they wished to show the people, from practical experience, how utterly unfit he was for this position. Holding such opinions as he did, Mr. Dargaville did not dare to come forward and to contest the representation of any constituency in Auckland. And yet his opinions are to be taken as representing public opinion in Auckland—opinions expressed in this letter addressed to "Dear Maling." It reminds me much of that correspondence with "Dear Pollen," of which we heard so much. Is the opinion of such a man to be taken against that of a public man of the highest reputation—a man who has spent forty or fifty years in the public service, and who has been Governor of this colony? I am not speaking of the present Ministry, but of the Ministry which was in office when this despatch was prepared and sent Home; and I say that any members of that Ministry who are now on the Government benches, and who were parties to that despatch, should at once

leave those benches filled with shame for what they had done. It is, to my mind, one of the darkest features of this despatch that a charge of that kind should be made by the Governor of the colony—Her Majesty's representative—upon such utterly unreliable testimony. If the Governor desired to make such a charge against the Superintendent of a province, a former Governor, and a man of the highest standing, he should have sent a copy of the despatch containing those charges to Sir George Grey, in order that he might make any explanations he thought fit upon them. There has been no foundation for those charges but a letter of no more value than the anonymous letter of a newspaper correspondent. Mr. Dargaville is known well enough in Auckland, but he is utterly unknown at Home; and any letter of his read there is of no more value than an anonymous letter. And yet, upon such a letter as that, the Governor has made the most serious charges against Sir George Grey. And the statement made in regard to this matter is, that Sir George Grey had expressed to Mr. Dargaville his great anxiety to get the control of the police force for the purpose of enabling him to contend with the General Government, in the event of a dispute arising between them. The honorable member for the Thames has answered that statement most completely; but I, as a member of the Provincial Executive of Auckland at the time, and having official knowledge of what took place, may confirm the statement that he was not anxious to take over the police, although the control of them was offered to him by the General Government. Another statement made in this despatch, in the refutation of which I appeal to all members of the Provincial Council now present to support me, is that the repeal of the resolutions carried by the Provincial Council of Auckland in favour of abolition was brought about by the direct instigation of Sir George Grey. There is no truth whatever in that statement. Those resolutions were moved by me. I came on that very day from Napier, and had no opportunity whatever of consulting with Sir George Grey on the question. The question in favour of abolition was put to the Council; and by one of those blunders which occur in all representative bodies, it was carried without discussion. I was in the library at the time it was carried, drawing up an amendment which I intended to move. I returned to the House, and, without any consultation with Sir George Grey, gave notice of the rescinding resolutions which were afterwards carried. That Sir George Grey instigated that, or desired it, or brought it about, is utterly untrue. Yesterday, in the lobbies, there was that kind of rumour going about which generally heralds the production of important intelligence, such as we used to have two or three years ago when the policy of this country was changing from top to bottom of the political thermometer every two or three days. In those days two or three people who used to hang about the backstairs were in the habit of whispering confidentially, "You will hear something good to-night." We heard the same thing yesterday. I was told by those gentlemen, "There is some-

thing coming on to-night with reference to abolition which will open the eyes of the Opposition." I expected that we were to have what Ministers have never yet attempted to get—namely, a sound opinion on the legality of the Abolition Act; and I looked forward to it with some amount of dread, because I thought that, if they had obtained such an opinion against our views, it would break up any further opposition to the coming into force of the Abolition Act. But what did we find? This despatch, which is full of partisanship, and which, in all essential allegations, has no foundation in fact: a despatch in which a most wanton charge is made against a public officer by a private citizen of the Province of Auckland. Altogether apart from party considerations—putting it on one side as a matter of Opposition or Government—I say that every sensible and fair-minded gentleman in this House will regret the tone and conception of that despatch, and will admit that it is not couched in language that ought to characterize a despatch of the Governor of New Zealand. Every man will admit that in dealing with the people over whom he is placed in charge—especially in commenting on the conduct or character of a public officer—he ought to hesitate, and ought to obtain the most distinct proof, before he made such a charge as is contained in one of the paragraphs of this despatch. Besides neglecting to send Sir George Grey a copy, that despatch is now nearly four months old. It has been lying in the Ministerial coffers up to this time; and if it had not been brought out by recent discussions, it would lie there until it was laid before Parliament with other despatches next year. I contend that that is the extreme of unfairness—that it shows an extreme want of fair-play—a want of chivalrous consideration even for an opponent. The honorable member for the Thames has, perhaps, made a mistake in noticing a document of this kind, and in endeavouring to refute the statements made by Mr. Dargaville. In the Province of Auckland, where the honorable member for the Thames and Mr. Dargaville are both known, the allegations of Mr. Dargaville will be treated with scorn and contempt; but, even in this House, I contend there are very few men, however embittered they may be against the honorable member for the Thames, and however strongly they may condemn and censure his action, who will not be prepared to put in the balance the years of public service and public reputation of Sir George Grey against the statement of a private gentleman in Auckland writing to the Private Secretary of the Governor. I contend that a private letter of that sort, beginning "Dear Maling," which speaks of the Superintendent of a province and a former Governor of the colony as "Grey," ought not to have been put into an official document. If His Excellency thought the charge worthy of investigation, he ought to have requested Mr. Dargaville to bring it before him officially; and it ought to be an official statement of the conversation that took place. I do not wish to go into too much detail, but the letter of Mr. Dargaville on the face of it does not coincide

with the statements with regard to it in the Governor's speech. Mr. Dargaville writes on the 8th June, 1875. We are told that this conversation with Sir George Grey took place about twelve months before abolition came into force at all. Now, as a matter of fact, the Abolition proposals came into the House in 1874, and Sir George Grey was then living in retirement in Kawai, and did not come to Auckland or take any part in the political questions agitating the country until February, 1875. Now, it is quite evident that, if the Governor's statement is correct, and Mr. Dargaville's statement is correct, the conversation referred to could never have taken place. I am satisfied that Sir George Grey could not talk of armed resistance to a measure not in existence. On the face of it, it appears to me a contradiction. However, I think that Sir George Grey's reputation will survive this attack. I do not think the statements of Mr. Dargaville, adopted by His Excellency the Governor and indorsed by the Premier, will be able to overcome the good faith and strong common sense of the people of this country. They will not believe that a man with such antecedents as Sir George Grey has sullied a life of honor and good services to the country by such a base fabrication. It is well, now-a-days, to be a Colonial Governor—to draw a large number of thousands of pounds a year, to reside in luxurious palaces, and to travel in expensive yachts that will cost £7,000 or £8,000 a year to maintain. It is a very fine, jolly thing to be a Colonial Governor now-a-days. But the honorable member for the Thames, whose reputation is now assailed in this unfair and ungentlemanly manner, was Governor of this colony and of other colonies when Governors had to walk about like other people; when the country was held by armed rebel bands; and possibly the Governors of the present day would never be Governors if they had to lead armed forces to battle, as Sir George Grey had to do in his time. I think that for the purpose of clearing Sir George Grey from the imputations that have been cast upon him this debate would be entirely unnecessary; but I contend that, for the purpose of preventing despatches of this kind being written, and for the purpose of showing the opinion of the House that despatches of this kind should not be written, and that the correspondence of the Governor with the Home authorities should be impartial and unimpassioned, the debate is useful, and I hope it will have that result. I hate to fight an angry quarrel; and this House, I contend, ought to be able to do public business without making such charges against each other as we have been making, and we ought to be able to do that business without losing our tempers. I draw this distinction between the Government and the Opposition: that a license is allowed to the Opposition that is not allowed to the Government. The Government can lead the House, can direct it, and can concede. But it is the besetting sin of this Government that it cannot make a concession. It is unable to see when it is desirable to make a concession at the proper time. When such despatches are written, and such charges made by the highest officer in the colony

against other public officers, it will lead to angry recriminations, and Ministers will be held responsible for what may take place.

Mr. REES.—As a member of the Provincial Council of Auckland during the time which the occurrences recounted in this now celebrated correspondence took place, I desire to make one or two remarks on the paragraphs which relate to those proceedings in that Council wherein the name of Sir George Grey is mixed up. I can only presume that that letter, judging from its tone, was written, not by the Marquis of Normanby, His Excellency the Governor, but by his Ministers. I do not believe that His Excellency would write such a letter as this. I believe that, having full confidence in his Ministers, he put his name to this letter, believing they would not allow him to do anything dishonorable in itself, or likely to bring disrespect on the high station he holds by appointment and by birth. When I trace also in the letter the exact phrases used in this House over and over again—the exact classification of words which we have heard here in relation to the honorable member for the Thames, from the Ministerial benches—it seems unnatural to suppose anything else but that the Premier, perhaps assisted by one of the late Ministers, was the concocter of this despatch, which His Excellency the Governor was induced to sign without actually reading it. In the 9th paragraph of the letter I read as follows:—

“Sir George Grey also omits to inform your Lordship that, although possibly the majority of the members from the Province of Auckland are opposed to the abolition of the provincial system, that feeling is certainly not unanimous, except perhaps in the city of Auckland and its immediate neighbourhood; neither does he state that in May, last year, a resolution in favour of abolition was carried by a majority of five, in the Provincial Council itself, and was only rescinded the next day by a majority of one at the direct instigation and dictation of Sir George Grey himself. I think, therefore, he is hardly justified in claiming the whole of the provinces as adopting his views.”

I believe that efforts were made in all the great Provincial Councils of the colony at the same time—I believe at the instigation of a certain knot of persons—to have this resolution carried. In Auckland, by some mischance—and in Auckland alone—unknown to a very large portion of the members, this resolution was carried. As soon as it was known that the resolution was successful—as stated by the honorable member for Rodney—that gentleman gave notice in the Council that next day he would move that the resolution be rescinded. After a full debate, that resolution was agreed to. I really cannot understand how Ministers—how any men of ordinary honor—could pledge themselves to those statements in the despatch, the truth of which they were not aware of. If this statement was made by witnesses in a Court of law, they would lay themselves open to a charge of perjury. It would not be sufficient for them to say afterwards that they only said what they believed, and did not know whether they had spoken the truth or not. If

this statement was sworn to by any person in a Court of law, the person making it would be liable to imprisonment and hard labour for perjury. I would ask, Is that a proper position for Ministers to put themselves into in relation to such a matter as this, where a grave charge is made against a gentleman whose name, more than that of any other man of the day, is connected with the Colonial Empire of Great Britain? If, I say, that were stated upon oath in a Court of law, upon the facts coming out as stated by the honorable member for Rodney, which can be testified to by all the honorable members from Auckland, those who stated it would render themselves liable to imprisonment for perjury. The Government took no steps to ascertain the truth of it. The Premier just now said he would trust to his own memory rather than to the memories of those around him; but it seems to me that the Government trust more to their imagination than to their memory. But, Sir, I was astonished at another statement of the Premier. I was not present when the honorable member for the Thames, Sir G. Grey, made his speech; but I was astonished when I came in to hear the Premier say that the honorable member had made, for him, a very temperate speech, and that he was not as slanderous as usual. I should like to know if there is any precedent for a Prime Minister making such a statement as that. I can only compare the Premier, whenever he refers to the good conduct of the honorable member for the Thames, to the black swan—a *rara avis in terra*. The Premier said he would trust to his own memory and not to the statements of other persons. I have always understood that it is the general rule, in all deliberative Assemblies such as this, that, when an honorable member denies that he had made a statement, his denial is taken as sufficient. I am sorry to hear the Premier, who should be the leader of the House, breaking through the rules of courtesy and procedure with the same hardihood and indifference. I use the term "hardihood" because such conduct as this must condemn him in the minds of all right-thinking people, who will see that it is impossible to pursue a safe course while going on as he is doing. Then, again, I was astonished to hear the honorable gentleman say that the honorable member for the Thames was always in the habit of putting off his despatches until the Governor could not send his comments on them Home. Perhaps the honorable gentleman will mention an instance of this.

Major ATKINSON.—The telegram of Saturday.

Mr. REES.—When a person sends a telegram, his business must be of some importance, and it may be necessary that he should send it away at once. Now, with regard to the letter, I may say that Sir George Grey saw the statement in a newspaper published in Auckland, that the supporters of the Ministry in Auckland were causing certain rumours to be circulated, and this only came to his knowledge just before the mail left, and therefore he was bound to take immediate action. That, however, did not justify the Premier in saying that Sir George Grey was in the

habit of putting off his despatches so long that the Governor could not send Home his comments on them. The fact is that Sir George Grey sent copies of his letter and telegram to the Governor on the very day that he sent the originals to England. The meaning of Sir George Grey is clearly shown by his words. He says, "I heard that, in two parts of the colony, reports had been circulated that Her Majesty's seamen and marines are to be used to put down, by armed force, all opposition to the Ministry; and I find it stated in a local newspaper of this morning." Why, he distinctly states it to be a newspaper report; and afterwards he says, "I am so entirely satisfied of the honor and good faith of the paper from which I quote, that I feel sure there are substantial grounds for the statement it contains." If the Hon. the Premier had the slightest pretension either of being careful in his statements, or of being able clearly to understand the English language, he would find that the statement which is made here by the newspaper is that reports are being circulated to a certain effect, and not that Auckland is to be bombarded. It states that reports have been circulated to that effect; and the honorable member for the Thames merely says that there are clear grounds for the statement that such reports have been circulated. It is impossible to put any other interpretation on the paragraph. Some members of the Ministry, to whom the English language is not properly known, I have not the slightest doubt, could put another interpretation on it; but if any fifth-form schoolboy were to put that interpretation on this paragraph, he would stand a very good chance of being hoisted, and it would serve him right. The honorable member for the Thames does not state that he believes force is to be used, but that a report to that effect is being circulated. Those honorable gentlemen on the Government benches, having found that they have made a mistake, ought now as men of honor to say so. The honorable member for the Thames goes on to say in his despatch that "such allegations of the intentions of the Imperial authorities, circulated as they are here, do much harm." Any gentleman who was in Auckland at the time of the elections will know that those allegations did harm among many of the people. The people actually became afraid they would be brought into collision with the Imperial forces. The Hon. the Premier had said, "If Sir George Grey can deny any of the statements contained in His Excellency's despatch, it is open for him to deny them." How could Sir George Grey deny the statements, when he was kept in ignorance of them for four months after they were made? I say that when the Government pursue that course of conduct they are not pursuing the just, the fair, or the right course. The slipshod and wretched English in this despatch convinces me, though it is signed by the Governor, that it is written by his Ministers. Fancy publishing such a thing as this in the *Times* as the production of a Governor of a great colony:—

"Were I as much inclined to take alarm at absurd rumours and newspaper canards as he seems to be, I might indeed inform your Lordship that,

on more than one occasion, Sir George Grey himself has been reported to have indulged in dark and mysterious hints at the possibility of armed resistance to the law being resorted to by those who are opposed to the abolition of the provinces; and the same tone has been more frequently adopted by the *Evening Star*, a paper in Auckland which strongly supports his views."

Fancy His Excellency the Governor sending a despatch such as that to the Secretary of State. This statement is backed up by a letter from Mr. J. M. Dargaville. Anybody who comes from Auckland knows that, if there be one man in the community more empty and more full of nonsense and vanity than another, and a man who does not stick at anything he says, it is Mr. J. M. Dargaville. He is a man who actually lost the fair chances he had of becoming Superintendent of Auckland by making such an exhibition of himself as to cause even the reporters for the newspapers to lay down their pencils and refuse to report him on account of the indecency of his remarks. I see that his letter is addressed to Captain Maling, and I am sure that I do not envy Captain Maling his friendship with this gentleman. If that gentleman is to be the source from which accusations against one of the leading men in the country may be entertained and transmitted Home, then I say it is time this state of things were ended. He wrote a private letter to Captain Maling, which was to be shown to His Excellency the Governor if the recipient of it thought proper. Captain Maling might have known that Sir George Grey is not in the habit of becoming confidential with men like Mr. J. M. Dargaville. As far as the police force of Auckland is concerned, Ministers themselves know that Sir George Grey was not desirous of having it under his control, and that he refused to take it over on the terms on which it was offered to him. I say that the attempt to blacken an opponent for political purposes—the attempt thus to injure the leader of the opposite side—is descending to practices which an Englishman ought to be ashamed of. I repeat, that this despatch was not written by the Governor. I have no doubt that His Excellency simply took the letter up and signed it because his Advisers put it before him. It is a letter which reflects much more on the man who wrote it than on the man who is the subject of it. It was sent away to London, and nobody knew anything about it for four months. If the people of the colony are called on to judge between Sir George Grey and the Premier in relation to this matter, all I can say is, that the people will, from one end of the colony to the other, universally condemn the Premier. Then, Sir, it is currently stated that Mr. Dargaville was connected with a useful force for the preservation of the peace. I do not know whether he still manifests the same proclivities, and does a little of the informing work in relation to political affairs, and in relation to members of this House; but, if it be so, I sincerely hope that the Governor's Aides-de-camp will not lend their ears to such persons as these in order to attain or be made the receptacles of information by which false and secret charges

may be made before the Council of State in England against well-known political men. The whole of this matter reflects very great discredit upon the Ministry. I am sorry they did not make a frank statement in relation to the matter. The Premier should have said, "We believed the statements were correct at the time; but if Sir George Grey says they are not, we are willing to accept his statement and apologize." Instead of doing that, the honorable gentleman attempted to defend it; but the honorable member for the Thames can well afford to leave the matter to the decision of the people. From every part of the colony the writer of such a letter will be condemned. It cannot injure Sir George Grey, who is too well known and too much respected, but it will not redound to the credit of the Ministry. The unfairness of such an attack will carry its own condemnation. Sir George Grey ought to have had an opportunity to defend himself from a stab in the dark, a blow which he could not parry.

MR. REID.—I consider the honorable member for the Thames was fully justified in bringing this matter before the House. Having read the despatch, I must say I was surprised to find the signature of His Excellency the Governor appended to such a document. I cannot indorse all that was said by the honorable member for Auckland City East in regard to the letter, of which the despatch is an extension or a criticism. I cannot say, as he does, that there is nothing in the letter,—that it was not intended to leave the impression that the Colonial Government would use the Queen's ships in forcing abolition on the people of Auckland. I take exception to that part of it which certifies to a belief in the extract quoted. It expresses a probability of the request being made to the Home Government, and requests it to interfere to prevent it. To that extent, the action taken by the Governor was justified; but nothing else justifies this despatch. Coming from so high a personage, I am astonished at it; in fact, I would much more readily have believed that it came from a third-rate clerk. The whole tone of the despatch is such that it cannot be described by any terms which would ordinarily apply to our State despatches; and I regret to stand up here and so speak of any document emanating from His Excellency the Governor. The Ministry state that this document was written without their knowledge, but that it meets with their entire concurrence. Of course we are bound to believe this; but I must be allowed to say that, if I can see the hand of any one in it, it is that of the late Premier, Sir Julius Vogel. I cannot allow this discussion to close without expressing my deep regret that such a despatch was ever penned. At the same time, I deprecate the strong expressions used on both sides of the House during these discussions. It would be very much better that we should exclude the personalities, the strong terms of disapprobation and opprobrium, and the insinuations of motives which are attributed to each other in the course of debate. I see no reason why, because we differ politically, we should try to destroy the reputations and fair

fame of our opponents. Surely there can be no advantage in that. For my part, when I hear of charges of that kind, their effect is to repel me from those who make them. They only lead to animosity and unfriendly feeling. As to the subject before us, I can only repeat that this is a document which nothing can justify. It was not penned in the heat of a debate; it was prepared with deliberation; and no terms that could be applied to portions of it would be too censorious.

Mr. LUSK.—I have no desire to detain the House by any lengthy remarks; but as one of the members of the Province of Auckland, and as one of those persons incidentally referred to in the despatch, it may become me to say a few words upon matters of fact connected with the subject. The statements in this despatch are mainly accusations against Sir George Grey, in which the correctness of the statements made in his despatch to the Secretary of State are impugned. One of these statements—and perhaps the worst of the whole—refers to the possible employment of Her Majesty's forces to coerce the people of this colony. I may say, Sir, in regard to that statement, that I never saw any reference to it in the public prints; but at the same time I must say that I have not once but many times heard the statement made by persons whom I know to be supporters of the Government. Frequently, in conversations I have had in Auckland, these gentlemen have said, "It is no use resisting the powers that be, because they are backed up by the men-of-war, which will be sent to Auckland should the necessity arise, and you will then see what your position will be." That statement has been made to me many times; and I can only say that, if the people did not see in the newspapers what Sir George Grey saw, thousands of them have heard the statement made in public. It appears to me to be an extraordinary thing that a matter of fact so notorious should have been unknown to the Government—so completely unknown to them that they could honestly cast a doubt upon the statement having been made at all. With regard to the letter upon which this extraordinary despatch is founded, I may say that I was a member of the Provincial Council of Auckland when the resolutions referred to were passed: in fact, I stand in rather a peculiar position in regard to those resolutions, because, if they were only rescinded on the next day by a majority of one, at the instigation of Sir George Grey, I must be that one referred to. I was the person, I believe, whose opinion on this subject was longest in doubt in the minds of members of the Provincial Council, and I was the last to say anything on the subject when the matter was under discussion in the Council. I then frankly and plainly stated my opinion, and up to that time I had never held any conversation with Sir George Grey from the time he assumed the office of Superintendent of the province. Neither directly nor indirectly was I instigated by Sir George Grey to take any particular action in this matter; and I therefore deliberately say that that statement is wholly unfounded, and, being unfounded and calculated to mislead, it is an extraordinary thing that the person in the highest

position of authority in the colony should communicate it to the Home authorities. I have no desire to express an opinion as to the authorship of this document. I honestly believe that it emanated from some person very inferior to the gentleman whose signature it bears. All the internal evidence bears that out. A few words may, however, be said as to the spirit of the document—a point which has been referred to during the debate. It has been said, or, rather, the Premier hinted, that it was a perfectly fair reprisal on the part of the Government to send Home a document of this sort and conceal all knowledge of the fact, because Sir George Grey had sent Home a document to the Secretary of State and did not give the Governor time to reply to it by the same mail. But does it not occur to honorable members that the position of the parties is entirely different—that Sir George Grey was not acting as the accuser of the Governor of New Zealand, but was making an appeal to the Home Government on behalf of the people of Auckland? It was to calm the feelings of the people of Auckland, to prevent their being agitated by statements which he did not for an instant say had emanated from the Government; and was it to be said, because that document did not reach the Governor in time to reply to it before the despatch of the mail, that it is a parallel case to forwarding a despatch to the Secretary of State in June, and for four months to allow this gross and most serious charge to be concealed from the person whose character had been maligned? There is no parallel whatever; and it is astonishing to me that any one occupying the high position of Premier of this colony should be guilty of talking anything so much like nonsense. I regret exceedingly that this document was ever penned, but I do not regret that it has come under the consideration of this House, because I think that very great good ought to result from its having been discussed. I do not say this because I think the character of Sir George Grey requires any vindication at our hands—I do not say this because I think for one instant that any slanders that may be brought against him by the pen of Mr. J. M. Dargaville can possibly have any effect in injuring his fair fame. But there are other honorable members, whose characters are not so established and so widely known as that of Sir George Grey, who may be affected by this—by the very same course as has been pursued in this case; and it may be a matter of very great moment to the characters of members of the Legislature that a protest, and a very strong protest, should be entered at once upon its being known to this House that such things have been done, and that we should adopt means for the vindication of our characters, which have been assailed, and protect ourselves and those who follow after us here in this House from being exposed to underhand insinuations, and to calumnies against our characters which we are allowed no opportunity to reply to.

Mr. HUNTER.—Sir, this discussion, which has lasted a long time, appears to me to be confined very much to two points—first, to serious accusations against His Excellency the Governor; and

secondly, to the vindication of the conduct of an ex-Governor of the colony, Sir George Grey, the member for the Thames. Now, it appears to me that the people of New Zealand require to be vindicated against the very strong and uncalled-for accusations which have been hurled against them. No honorable gentleman in this House knows better than the honorable member for the Thames, as he has lived so long in this colony, that there is nothing whatever to justify in the slightest degree that honorable gentleman having any reason to believe that the inhabitants of this colony would rise and rebel against Her Majesty's authority. The honorable gentleman is well acquainted with the past history of this colony, and he knows, and has himself borne testimony to, the good conduct, loyalty, and devotion of the people of New Zealand to Her Majesty the Queen. There is nothing whatever to justify the accusations which were brought against the people of this colony; which accusations were the foundation and first origin of this correspondence which we have been discussing. It is all very well to talk about disturbances being imminent. I say that the honorable gentleman must have known—and I believe he did know, if he will do justice to the inhabitants of this colony—that such an idea never would have entered into their minds, and never would have been carried out by them in any shape or form. But, Sir, I was rather surprised during this discussion to find that no reference whatever was made to a very recent expression of the same view on the part of the honorable gentleman. I find, on the 7th of October of this very year, Sir George Grey, as Superintendent of the Province of Auckland, sends a telegram to the Secretary of State for the Colonies. I have not heard it contradicted. It appears in a newspaper published in this city, and I am entitled to assume that it is correct. In this telegram he says, "Disturbances imminent. Some threaten employment Queen's ships." Now, where is the evidence to justify any reasonable man of common sense and intelligence in using such words as "disturbances imminent"? I say that there is nothing to justify the most ordinary member of this House in using such an expression as that, much less a gentleman possessed of the knowledge, intelligence, and experience of that honorable gentleman. There has been nothing brought forward in the debates of this House, there was nothing that occurred throughout the country, there was nothing that appeared in the telegrams published in the different parts of the colony—nothing to justify such a declaration as this. We have heard much loud talking about this, that, and the other thing about to be done on the part of gentlemen holding Her Majesty's Commission as Justices of the Peace; but we know, and that honorable gentleman knows, how entirely such stories are without foundation. The people of New Zealand have always been and will always be loyal and well disposed, and there is nothing that will ever induce me to form such a low opinion of them as to suppose that they would place themselves in such a position as to render it necessary to threaten to employ the Queen's

ships against them. Now, we are asked to believe that statement in the city of Wellington. His Excellency the Governor is resident here; the Ministry are here; the Parliament is in session; and I apprehend that if the honorable member for the Thames entertained any such opinion as this, that the Ministry were threatening to employ the Queen's ships, it would have been easy for him to have put a question direct on the subject. I apprehend that Her Majesty's ships can only be employed, as is pointed out in this despatch which has been so severely commented upon, through the instrumentality of His Excellency the Governor, and His Excellency would only act on and by the advice of his Responsible Advisers. I have before pointed out in this House that the honorable member for the Thames has over and over again endeavoured to sap the very principle of responsible government, which was granted to this colony on clear, distinct, and specific grounds. We undertook the management of our own affairs; the honorable member knows very well that this was determined at the time Her Majesty's troops were all withdrawn from this colony. Under these circumstances, so long as the gentlemen occupying those benches possess the confidence of a majority of the members of this House, they are responsible to His Excellency the Governor and to the Parliament of New Zealand now assembled. If the statements of the honorable member for the Thames can be borne out by facts, it was clearly his duty, as a representative in Parliament, and as the Superintendent of the Province of Auckland, to have brought the matter before the Assembly. I say this, with all respect for the honorable gentleman: that his assertion as to threats having been used by the people is altogether without foundation—that it ought to be scattered to the winds as a thing not deserving of one moment's consideration. It is difficult, in speaking of this matter, to characterize it in language which would be considered parliamentary. Then this statement in the honorable member's telegram is followed up by these words: "I earnestly pray telegraph to prevent disturbances. Abolition Act should be disallowed if Provincial Legislatures not consulted." What does that mean? What is the practical meaning of those words? It is that the Government of England, or rather the Secretary of State for the Colonies, is to exercise his power of interfering—that he is to interfere with the representatives of the people governing this colony. It means neither more nor less than this, let us disguise it in whatever language we may. We may attempt to mystify words, but the common-sense meaning of that is this: that practically a foreign Power is to exercise control in governing this colony. Some gentleman says "No." He will have an opportunity of following me; but I fancy he will find it a very difficult matter to disprove the assertion which I have made, that it is a direct attempt to interfere with that which has been decided on by the majority of the representatives of the people. The words used in the honorable gentleman's telegram are, "I earnestly pray telegraph to prevent disturbances." The position of the

matter I apprehend to be this : It is a topic which I have not touched upon once during this session, but many members are aware of the position I took up last session. I was one of those who voted and did all I could at that time to prevent abolition of the provinces. I did not take the view that abolition would be for the interest of the colony. I took up that position, and voted against the passing of the Abolition of Provinces Act. I stated most distinctly and positively that I regarded it as a matter which should be referred to the arbitration of the people of New Zealand, that the next general election would determine the question, and that I should feel myself bound loyally to carry out that which was proved to be the opinion of the large majority of the people of this colony. The point was fairly raised. It was put to the people of this colony, and they returned a direct verdict, and that was that these institutions should be abolished and some other form of government substituted in their stead. I have endeavoured to do my small share faithfully and loyally. What is the position taken up by the honorable member for the Thames? His desire is that a foreign Power shall come and interpose to prevent effect being given to that which was the express wish of the people of this colony. The honorable member for the Thames has had an opportunity of over and over again expressing his opinions on this subject in this House, and if he believed that he possessed the confidence of the majority of the representatives of the people, he should, as leader of the Opposition, on the first or second day of the session, have come down with a distinct want-of-confidence motion. If he had done that the question would have been settled at once. If, as he says, the majority of the people are in favour of his view of the question, then the state of things would have been reversed, and the Opposition would have occupied the position of the Government. He knows that the opinion of the country and of this House is against the view taken by the Opposition. That would have been a direct and fair issue to put, and it would have brought the matter fairly before the country. I hold that full power is conferred upon the inhabitants of this colony to govern themselves. We have the right, under the laws existing here, to amend our own Constitution. It is a perfectly fair inference to assume that the matter has been considered by the ablest legal authorities in England, and that it has been held that we had the power to pass this Act, otherwise it would have been disallowed. Sir George Grey then says, in his telegram, "Abolition Act should be disallowed if Provincial Legislatures not consulted." The honorable member knows as well as I do that it was impossible to consult the Provincial Legislatures. This Parliament passed an Act prohibiting them from meeting again. It was impossible they could meet as members of a Provincial Council to give their opinion in their small parliament. It would have been a direct violation of the law. Something has been said about the delay in sending the letter by the honorable member for the Thames to the Governor—that Sir George Grey's letter reached the Secretary of State by one mail

and that of His Excellency by the next mail. It was unfortunate that accusations against the people of New Zealand and the letter of the Governor referring to them had not gone together, and it would have been better if Sir George Grey had delayed sending for a month his letter abusing the Governor and people of this colony, so that it should not have gone without a contrary statement. Under similar circumstances, if I had been unable to send a letter bringing such accusations, I should have thought I should have been wise to have delayed forwarding it until the comments on it should have gone with it. That is the view I should have taken of the matter. Something was said about submitting the Governor's despatches to Sir George Grey, but I do not think it has been the practice to do so. Reference was made by the honorable member for the Thames to the correspondent of the *Times*, and a charge was made against a gentleman who is not a member of this House. I take occasion to say that that journal is, of all others, careful in the selection of its correspondents, and as a rule it gives circulation to nothing which there is not fair reason to suppose was correct. During the discussion, a great deal has been said about the population of the different provinces, and the proportion in favour of and against the proposed constitutional changes; and I have taken the trouble to make an estimate of this matter. According to the last census the population of the colony was 375,866 souls. My estimate will go, of course, for what it is worth, but the following is to my mind the proportion of those in favour of the continuance of the old state of things and those opposed to it. I find that the Province of Auckland contains 79,000 people, and from what I have seen in this House, and what I have learned, I deny that there is unanimous feeling in that province, as has been represented here. The return of members to this House shows that a very large portion of the inhabitants of that province were in favour of a change in the Constitution. I estimate that in Auckland probably one-half were in favour of abolition; in Taranaki, five-sixths; in Wellington, three-fourths; Hawke's Bay and Marlborough were pretty unanimously in favour of abolition; Nelson had five-sixths in favour of it; the same with Westland. As to Canterbury, I feel some hesitation, but I assume that three-fourths are in favour of a change; and in Otago, where I know the feeling in favour of Provincialism is very much stronger than in other places, I take only one-fourth as in favour of abolition. That gives 160,000 out of 375,000 as in favour of the old state of things, or rather less than one-half of the population of the country. One very important point seems to me to have been lost sight of. It is this: Although the Auckland and Otago members may represent a very large majority of the constituencies, an immense number of people, forming the minority, are not represented. We have a very clear and convincing proof of that in the case of the late member for Dunedin City, Mr. Reynolds, who was rejected by his old constituents and was elected for Port Chalmers; therefore it was quite clear that there was a different feeling in two districts very close to

each other. At the Thames election there was an instance of a double return: Sir George Grey was returned both for the Thames and Auckland City West. We have seen very clearly that the honorable member for the Thames, Mr. Rowe, and the honorable member for the Thames, Sir George Grey, differ in their views; and I believe it was thought that if Sir George Grey did not elect to sit for the Thames, a member would have been returned for that district who entertained views similar to those of Mr. Rowe.

Mr. SWANSON.—A question of money.

Mr. HUNTER.—The honorable member for Newton says that it is a question of money. No doubt money is a very important element, and can do a great deal; but I do not think money would buy two-thirds of the people of New Zealand. I have not such a poor opinion of them as that. They have no right whatever to be charged with such an accusation. If I understand the argument of the honorable member for Newton, it is this: that the honorable member for the Thames, having the larger command of money, was able to return himself for the Thames in opposition to poorer men. That is the inference I draw—that the Thames constituency is to be bought just like the rotten boroughs at Home used to be. The honorable member for Newton says “No;” but I can only draw my own inference, for he stated it was a question of money. Sir, the honorable member for Newton is interrupting me.

Mr. SPEAKER.—The honorable member for Newton is out of order.

Mr. HUNTER.—I am entitled to draw that inference. I hope I have not transgressed the rules of the House in any way, for I always try to keep in order. The remarks of the honorable member conveyed the impression that the Thames was a constituency that could be bought, and therefore Sir George Grey had a better chance than any other man. If the honorable member for Newton objects to that conclusion, he will be able to reply to my remarks. I should not have said one word upon this subject, had I not thought that the people of New Zealand were not being fairly treated throughout this discussion. They have been maligned; accusations have been hurled against them; and I, as an old resident of the country—one who has lived in it from its earliest days—say that neither directly nor indirectly is there any warrant for the assumption that they will not readily obey the laws of this country, and render proper obedience to the representatives of the Queen.

Mr. SWANSON.—The honorable member turned that remark of mine from its true meaning. What I meant by “a question of money” was perfectly evident to any one. You cannot buy a constituency like the Thames. Those little arrangements in Hawke's Bay and Taranaki can be bought, because, if you only purchase 150 or so, you have all the rest in your pocket; but you cannot buy thousands; it takes a pretty long purse to do that. In standing for a large constituency like the Thames, a man cannot advertise and canvass the district without going to a

very large expense. We were not at all afraid of the result of a contest. I defy any one to stand for that district without going to great expense, even if he never gives away a glass of beer. The honorable member for Wellington says, “Oh, oh.” Well, there was an immense amount of beer used in Wellington upon a late occasion. A great many expenses must be incurred in contesting a constituency like the Thames; but in Auckland City West it is very different: there is comparatively very little expense in the city. We took the contest for the Auckland City West seat; and I fully expected that this gentleman we have heard so much about to-day, Mr. Dargaville, would have come out, for he contested the seat once or twice before. We fully expected to see that great champion of Centralism stand. Sir, I do not think the Thames can be bought. If any one is going to try to buy a constituency, I would say, Do not go to the Thames. I will allude to one matter which does not appear to me to have been referred to. It is this: In his despatch the Governor says,—

“As, however, Sir George Grey has seen fit to make this formal complaint to your Lordship, I now distinctly charge him with being himself the first to give currency to a report similar to the one he has brought under your Lordship's notice.”

It was really too much for the Governor to say that. What evidence had the Governor to show that the statement made by Mr. Dargaville was true? It might have been as false as possible, and without a shadow or vestige of foundation or any justification. That letter ought to have been seen by Sir George Grey before it was sent Home, so that he might make any remarks he wished about the matter. If Mr. Dargaville is to be a sort of a private detective, there ought to have been other inquiries to see if any one else had heard of it. Mr. Dargaville says he heard it in the Provincial Council. Well, I am quite as constant an attendant at the Provincial Council as he is, and quite as well known, and I never heard one word of it. The Governor sends Home a statement as a matter of fact of what he says took place in the Provincial Council of Auckland; but I say it is contrary to the fact. Nothing of the sort took place. The inference to be drawn from this letter is that this matter was brought up in the Auckland Provincial Council at the instance of Sir George Grey. Then as to the motion passed by the Provincial Council in favour of abolition. It was proposed, I believe, by Mr. Bagnall, and seconded by Mr. Buckland. All the supporters of the motion had been carefully whipped up. However, there was no debate. Mr. Sheehan had just stepped ashore, and, seeing the motion on the Order Paper, was writing an amendment, when the motion was put. I instantly appealed to Mr. O'Rorke, who is Speaker of the Provincial Council, but he ruled that the matter could not be re-opened; he had asked if any honorable member wished to speak, and no one had risen to do so. It passed by a fluke. The Provincial Executive were sitting on their benches, and there was no communication with Sir George Grey. If Ministers have made the

Home Government believe it was otherwise, I say it is an utter delusion, utterly untrue.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

SAN FRANCISCO MAIL SERVICE.

The House went into Committee.

Mr. WHITAKER.—Sir, I beg to move, That it is expedient that the existing San Francisco Mail Contract be modified as follows:—(1.) That the service be direct from San Francisco to Sydney, calling at Honolulu and at Auckland. (2.) That the coastal service be performed by the Company by ten-knot boats, to be approved of by the Government. (3.) That the share of New Zealand's contribution to the subsidy be reduced by £7,500 at the least. The House is already aware that at the commencement of the session a Committee was appointed for the purpose of inquiring into this Californian Service especially with a view of having some modification made in it. The Committee have reported, and their report has remained over for consideration for some time. The reason for the delay has been that correspondence has been going on with the New South Wales Government and the contractors, with a view to ascertain how far any modification would be agreed to on the part of that Government and the contractors. The matter has now reached this point: that they are pressing for the consideration by this House as to whether or not the terms proposed by the New South Wales Government, or the terms proposed by the contractors, or the terms proposed by the Select Committee, with a slight modification, shall be accepted by this House. The House is aware that the contract was made in July, 1875, and it was to begin in the November following. The contract was very carefully drawn, with all the usual conditions and stipulations for due performance. It was for eight years. Next month it will have run for one year. I need not describe the terms of the contract; it has been for some time before the House, and is well known to honorable members. One important stipulation in the contract which will be a subject for our consideration is that, in the event of the contractors not performing their contract, they are to pay a penalty of £25,000. That £25,000, assuming it to be obtained, would be divided equally by New South Wales and New Zealand. Of course, at the commencement of all services of this kind very considerable difficulties arise from time to time, and no doubt this service has had its difficulties like other services. At present, however, it seems to be very firmly established, and the time kept by the mail steamers has been very accurate. In point of fact, the mails have occasionally been delivered before their time, and we can see that we have a service regularly performed by steamers of a first-class description, both as regards steaming power and accommodation for passengers. The position now is this: that the Company require a modification. They

declare that the service as it is at present carried out causes them the loss of large sums of money, and they attribute that to the coastal service. They require that that service should be given up, not only on account of the inconvenience and loss of money, but because they consider that these large steamers going along the coast cause a risk which might entail a loss upon them equal to a whole year's subsidy. These ships are valued at from £180,000 to £200,000 each, and are insured for £100,000, so that, if one of them should be wrecked, it would cause a very heavy loss to the Company. I now come to the question of those proposals which have been made by the Company. They are these: that the subsidy, instead of being £90,000 a year, should be reduced to £80,000; that the number of services should be reduced to twelve services a year, and that the coastal service by the large steamers should be given up. That proposition was submitted, or very nearly that proposition was submitted to the Committee; but the Committee considered it was not a proposal which would be accepted. The Government came to the same conclusion, and I presume the House will do so too. I apprehend, therefore, that that may be placed out of consideration altogether. The Sydney Government have proposed that the coastal services should be given up; that the mail steamers should not call at Fiji, and should call only at Honolulu and the Bay of Islands. In the alternative services first proposed, there was one known as No. C, in which it was proposed that the steamers should call at Auckland; that there should be thirteen services in the year; and that the coastal service should be done by small vessels, the large steamers going on to Sydney. That proposition is very nearly the one now made by the Government, and contained in the motion I am about to move. The House is now in possession of three different propositions—the proposition of the Company, the proposition of the Sydney Government, and the proposition of the New Zealand Government. What I desire to-night is, that this Assembly should come to a conclusion whether they will accept any one of these proposals. The proposition this Government makes, and which appears on the Order Paper, would reduce the subsidy of New Zealand to £37,500 a year. That is the proposition, that £7,500 should be taken off the New Zealand subsidy—in other words, that the subsidy to the Company should be £75,000. That was the proposition originally made by the Company for this very service, when they sent in their tender. If honorable members will refer to some papers laid before them in an early part of the session, they will find a comparative statement of the cost of the services by way of Suez and San Francisco. The House will understand that not only the service by way of San Francisco but also the service by way of Suez is subsidized. On a reference to the papers before them, honorable members will see the precise position in which these services stand. The statement is as follows, and is based upon the correspondence exchanged between the United Kingdom, &c., and New Zealand during the year 1875:—

SAN FRANCISCO SERVICE.

Dr.	£	£
Subsidy to Pacific Mail Company ...	45,000	
Interprovincial Services ...	2,000	
Mail Agents ...	1,000	
		48,000
Cr.		
Postages from London Post Office ...	10,600	
Postages collected in New Zealand ...	11,232	
Recoveries from non-contracting Colonies ...	1,500	
		23,332
Net cost ...		£24,668

SUEZ SERVICE.

Dr.	£	£
Payments to Victoria ...	8,490	
Intercolonial Service ...	5,000	
Gratuities, &c. ...	510	
		14,000
Cr.		
Postages from London Post Office ...	3,711	
Postages collected in New Zealand ...	3,680	
		7,391
Net cost ...		£28,609

In the event of the colony deciding to abandon the San Francisco Service and to rely solely on the Galle Service, our payments and receipts would be,—

Dr.	£	£
Payments to Victoria ...	34,119	
Intercolonial Service (Melbourne, Bluff, and Wellington) ...	5,000	
Intercolonial Service (Sydney and Auckland) ...	3,000	
Interprovincial Services ...	2,000	
Mail Agents ...	1,000	
		45,119
Cr.		
Postages from London Post Office ...	14,311	
Postages collected in New Zealand ...	14,912	
		29,223
Net cost ...		£15,896

Assuming, merely for comparative purposes, that this colony forwarded and received the whole of its mails by the San Francisco Service, the result would work out thus:—

Dr.	£	£
Subsidy to Pacific Mail Company ...	45,000	
Interprovincial Services ...	2,000	
Mail Agents ...	1,000	
		48,000
Cr.		
Postages from London Post Office ...	14,311	
Postages collected in New Zealand ...	14,912	
From non-contracting Colonies ...	2,000	
		31,223
Net cost ...		£16,777

If the present proposal were adopted and the whole of the letters were sent by San Francisco, and none by Suez, then we should have to pay £7,000 or £8,000 more than would be recovered in the shape of postages, after allowing the now proposed reduction of £7,500. On the other hand, if we used the Suez Service entirely, the cost would be £15,896; so that, in point of fact, the San Francisco Service, if all the letters came by it, would be a cheaper service than that by Suez, if all the letters came by that route. Then let us look at the advantages of the two services. The material advantage is this: that every additional letter we have by San Francisco reduces the cost of the service, whereas every additional letter by Suez increases the cost. So there is every hope

that in a very short time the income and expenditure by the San Francisco Service will equalize themselves. I have no doubt that within a very short time—within two or three years—the service will really cost us nothing; whereas if we used the Suez Service the only result would be that we should have an ever-increasing amount of postages to pay, and the cost would become very heavy with the correspondence increasing as it does now with great rapidity. Now, we come to the cost of the two services. The cost of the San Francisco Service is 9s. per mile, and the cost of the Suez Service is 14s. 4d. per mile. That is a very considerable difference, although we gain nothing by it. Now, I come to another very important part of the subject, and that is the question of time. At the commencement of the session honorable gentlemen had placed in their hands all the postal papers, and amongst them will be found a very elaborate table showing the time of the arrival of all the steamers during the year, and the number of days occupied in the voyage. There is, however, a very great saving of time effected by employing the San Francisco boats. I have had a short table prepared showing the time allowed by the official time-tables for the delivery of mails between London and the places I shall refer to presently. *Via* San Francisco the contract time from London to Sydney is 48 days, and the shortest time in which the mails have been delivered is 46 days; the contract time from London to Auckland is 45 days, and the shortest time in which the mails have been delivered is 41 days; the contract time from London to Wellington is 49 days, and the shortest time in which the mails have been delivered is 45 days; the contract time from London to Dunedin is 51 days, and the shortest time in which the mails have been delivered is 48 days. *Via* Brindisi, the contract time from London to Sydney is 49 days, and the shortest time in which the mails have been delivered is 47 days, as against 46 days *via* San Francisco; the contract time from London to Auckland is 60 days, and the shortest time in which the mails have been delivered is 55 days, as against 41 days *via* San Francisco; the contract time from London to Wellington is 56 days, and the shortest time in which the mails have been delivered is 51 days, as against 45 days *via* San Francisco; the contract time from London to Dunedin is 53 days, and the shortest time in which the mails have been delivered is 49 days, as against 48 days *via* San Francisco. If the mails were brought by way of Southampton there would be a much greater delay in their delivery. The contract time would then, instead of being 45 days to Auckland, be 67; instead of being 49 days to Wellington, it would be 63; and instead of 51 days to Dunedin, it would be 60. Now as regards the cost of each letter sent by the different routes: *via* San Francisco it is 6d., and *via* Brindisi 8d.; and each newspaper which comes in the latter way costs 2d., as against 1d. in the former. Therefore the San Francisco Service gives a saving of 100 per cent. on newspapers. Besides, there is a great saving of time by the San Francisco Service in the northern parts of the colony, and a considerable

saving in the southern parts. I think enough has been said by me to show that by the San Francisco Service we effect a considerable saving both of time and money. The advantage of having the two lines is of course very considerable, especially if one line should happen to break down. I should not propose, therefore, to give up the Suez Service, but consider that it would be well to allow it to stand as at present. By having the two lines, we are afforded facilities of forwarding duplicates of our letters. If we abandon the San Francisco Service, we shall be left entirely at the mercy of the Victorian Government; and I must say that we have not found that Government in these matters nearly so favourable to deal with as the New South Wales Government. The latter Government has met us in a very fair and liberal spirit in the matter of the mails; and therefore we should continue to work with them, in connection with the San Francisco Service, as far as we can. No fault can be found with the ships that have been supplied; for as regards convenience, speed, &c., they are everything that can be desired. They afford us direct communication with America, which, I think, is a great advantage. We have direct communication with the East by the Suez Service, and with America by the San Francisco Service. I have no doubt that honorable gentlemen coming from Otago feel there would be a loss by taking these large steamers off the coastal service; but, during the last five years, the Government have persisted in forcing them to go down to Otago. The matter is simply in this condition at present: Either the coastal service must be stopped, or the whole service must be discontinued altogether. Mr. W. P. Clyde, the President of the Pacific Mail Steamship Company, in a letter to Messrs. Gilchrist, Watt, and Co., of Sydney, puts the matter very concisely. He says, "Under the former direction of this Company, an abandonment of this service had been seriously considered, when a modification of the route to the direct C. service was permitted, and the service continued." It will be remembered that that modification was made, and, under it, the service was found very satisfactory. And then Mr. Clyde goes on to say, "The necessities of the case present to my mind the following alternatives:—A modification of the route to what is known as the C route, which avoids the difficulties and dangers of the coastal service, and the stopping at Fiji." No doubt the stopping at Fiji is one of the most serious difficulties the contractors find in their way. They can only go among the reefs by daylight, and at great loss of time. Mr. Clyde continues: "The substitution of ships fitted for the coastal service and Fiji navigation, which steamers would scarcely be fit for the long sea service, in place of the popular and able steamers now performing the service." These are the alternatives, or otherwise the service will be abandoned by the contractors. Therefore it is clear either that the coastal service must be given up, or that the service will be abandoned altogether. The Government have, as I have stated, endeavoured to get the Company to carry out the

coastal service as hitherto; but they fully realize that the service, as it at present stands, will require modification. When we are in Committee, I shall have an opportunity of affording honorable members any other information which may be required. Among the papers relating to the service there will be found a telegram from Mr. Stewart, of Sydney, to the Colonial Secretary at Wellington. It is as follows:—

"Sydney, 12th October, 1876.

"Hope that, in obtaining sanction from Parliament to modification mail service, you will secure option to call Bay of Islands. Please reply.

"ALEXANDER STEWART,
"(for Colonial Secretary, Sydney)."

My answer to this was,—

"Wellington, 13th October, 1876.

"Great difficulty about coastal service if Bay of Islands port of call. Auckland will probably be fixed. Difference of time to Sydney few hours only.

"FREDK. WHITAKER,

"Postmaster-General."

When I first went into this question, my opinion was that the Bay of Islands would be the proper place. But, after careful consideration, I and the Government have come to the conclusion that it would not be desirable to make the Bay of Islands the port of call, as the coastal service from the Bay of Islands instead of Auckland would involve a large extra expenditure. The last telegram the Government have just received is as follows:—

"If you wish our co-operation, you had better seek alternative permission. Auckland twelve hours longer, most objectionable."

The whole matter is now before the House. Honorable members have all the papers relating to it in their hands, and they will be able to see the exact state of things. The New South Wales Government, in their last telegram, dated 18th October, ask us to take the alternative of either Auckland or the Bay of Islands as the port of call. To enable the Government to give a definite answer one way or the other, I now move the resolution standing in my name.

Mr. STAFFORD.—The Postmaster-General has placed the matter so fairly before the House, and his views are so fully borne out by the papers upon the subject which have been placed before the House, that I feel bound to concur in almost all the conclusions at which he has arrived. There is, however, one point of difference between us; for he, without giving any reasons why, except in the short reference at the end of his speech, insisted, as it were, that Auckland would be the best place in New Zealand for the mail steamers to call. Now, my only desire is to get the cheapest mail service that can be got. I have no other feeling in the matter; and I entirely concur with the Postmaster-General that it is unadvisable to attempt to maintain the coastal service. It must be a failure, and I am quite willing to see it abandoned altogether. That part of the service being abandoned, the only question that remains, in my mind, is, where is the cheapest place in New Zealand at which we can get our mails from San Francisco delivered? Now, the honorable gentleman has given no rea-

son why the Bay of Islands should not be preferred to Auckland as the calling place. He says, "After a great deal of consideration"—he does not say by whom: it was not by the Californian Mail Service Committee, of which I am a member.

Mr. WHITAKER.—By the Government.

Mr. STAFFORD.—Well, after a great deal of consideration, the Government have come to the conclusion that the cheapest port of call in New Zealand is Auckland; but the honorable gentleman forgets that it is part of the recommendation of the Committee on the subject, and part of the resolution which the Government has now submitted, that the contractors are to deliver the mails at the different ports of New Zealand. Therefore, I say that it is the contractors and not this House who should be left to decide ultimately which is the best port of call, from which the mails could best be distributed at the harbour ports of the colony. I observe in the papers laid on the table that the New South Wales Government is most urgent in pointing out that the Bay of Islands and not Auckland should be selected as the port of call; and the last telegram received also urges that the Bay of Islands is the most convenient port. The contractors, in all their communications, express a decided preference for the Bay of Islands, although they put the two ports as alternative. Now, as we propose to throw upon the contractors the cost of distributing the mails throughout New Zealand, why not leave them a discretionary power as to the selection of one port or the other? If the Government tell us it will cost the country £7,000 more if they decide upon calling at the Bay of Islands instead of Auckland, they will not care to pay that £7,000, and therefore they would select Auckland, but they should have the option; no good reason has been given to the Committee why they should not. I will propose, That, at the end of the first subsection, after the word "Auckland," the words "or Bay of Islands, at the option of the contractors" be added; and to strike out the words "at least," at the end of the third subsection, with a view to insert the words, "if calling at Auckland, or £10,000 if calling at the Bay of Islands." That would throw upon the contractors the necessity of foregoing £2,500 if they should prefer to call at the Bay of Islands; and if they did adopt the Bay of Islands, the colony would get the service that much cheaper; but if they found it cheaper to adopt the alternative proposition and call at Auckland, then by all means let them do so. I am quite willing to admit that it would be better to have the steamers calling at Auckland; but considering the circumstances of the colony, we must go in purely for an efficient mail service, at the cheapest possible rate. We cannot afford to offer inducement to the steamers to come to Auckland for the sake of consulting the convenience of a few first-class passengers, although the £2,500 extra may prove sufficient to induce them to do so. I am encouraged to move this amendment by the observation that the New South Wales Government will be much more likely to promote this modification if the

Bay of Islands is selected; and the contractors themselves have always kept that alternative in view. I also recollect the very able letter received from Mr. Thomas Russell upon the subject last year, in which he strongly insisted upon the Bay of Islands being the best place in New Zealand at which the San Francisco steamers could call.

Mr. REYNOLDS.—I think the motion of the Postmaster-General is somewhat defective. It says, "It is expedient that the existing San Francisco Mail Contract be modified." I am not disposed to say that it is expedient, but I believe the Company will not be able to continue the coastal service. That being the case, we should throw the responsibility of breaking the contract on the contractors and not on the colony. I would therefore suggest this amendment:—"That in the event of the contractors for the San Francisco Mail Service being desirous to modify the conditions of their contract, and in the event of the Government of New South Wales deeming it expedient so to do, this House will consent to such modification on the following terms." Then would follow the subsections of the Postmaster-General's resolution. I do not think the honorable gentleman can object to that. I could vote for this amendment; but I cannot vote for the resolution as it stands. There are other honorable members who think that the Company should be compelled to fulfil the contract as it stands, or throw it up; and they also would vote for this amendment. I admit that it would be a great mistake to abandon the service; but, at the same time, I do not think it is advisable to interfere with the terms of the contract. The proposal of the honorable member for Timaru to give the Company the option of selecting the Bay of Islands or Auckland, is a very good one; but I fail to see upon what grounds he can make a difference in cost to the colony by selecting one port or the other. The proposition of the Postmaster-General to reduce the subsidy by £7,500, in consideration of the abandonment of the coastal service, should not be entertained, inasmuch as the Company offered under the O. service to accept that contract for £75,000 per annum; whereas the B. service—which is at present being performed—was to cost £90,000. The colony accepted the B. service; and if the Company now want to fall back on the C. service, they should carry out their original offer to do it for £75,000. Looking at the advantage New South Wales would gain by being made the terminus of the line, they should reduce the subsidy of this colony by at least £10,000. I would suggest that these figures should be substituted for the £7,500, and then I would accept the amendment of the honorable member for Timaru, leaving it open to the Company to adopt the Bay of Islands, or Auckland, as they thought fit. There is another addition I should like to see made to the resolution. The Company now have their boats on the line, and desire, for their own convenience, to alter the terms of the contract; but I think the colony should reserve to itself the right to put an end to the contract

within a shorter period than eight years. To carry out that, I will move, That in any arrangement that may be entered into with the Company, the Government will reserve to itself the power to put an end to the contract on giving twelve months' notice. If twelve months' notice is too little, I would substitute two years; and then if at any time we found that the service was not being carried out to the satisfaction of the colony we could terminate the contract. There is no hardship in that, because we are quite prepared to carry out the present contract. We are not breaking faith with the Company. If they wish to make a new arrangement, we are justified in insisting upon terms suitable to ourselves.

Mr. MACFARLANE.—It appears to me that this is merely a question of the form of words: that there is not much difference between the proposal of the Government and the amendment of the honorable member for Port Chalmers.

Mr. BURNS.—We in New Zealand have been very unfortunate in our mail services, both by California and Panama. I think it is a very great pity that this service was ever entered into, and the longer it is continued the more unsatisfactory will it be. However, the Postmaster-General has put matters in a different light; and as he is going upon the economic principle, I must say I am bound to give the proposal some measure of support. I like the proposal of the honorable member for Port Chalmers the best of the two, for this simple reason: that while, on the one hand, the House appears to offer something to the Company, I think it right that this House should get an offer from the Company. That is the difference, and it is a very great deal of difference. In the one case, the Company might make a handle of the offer for breaking off the contract altogether, while, if we insisted upon the Company adhering to their contract, they could not violate it. I am not going to be so selfish as to look at this question from a southern point of view, and to say, You must continue the coastal service. I admit that a bargain is a bargain, and if it cannot be fulfilled it ought to be stopped altogether. We are going the wrong way to work with the mail service altogether. If we were quit of this service, we could get a service carried on by a company of our own formed in this country, and at a cheaper rate. Taking into consideration the present financial position of the country, I am bound to support the proposal of the honorable member for Port Chalmers.

Mr. MURRAY.—I have always been opposed to the San Francisco Service, as I did not see the advisability of having it to enable the Americans to come and compete with us in the Island trade. More especially have I been opposed to it on the ground that we should have had direct steamer communication with England, at a less cost than we have to pay for this service. I would just point out some of the results that would have followed from the direct service. The Government have admitted that they had an offer from responsible contractors to bring out our immigrants by first-class steamers, at a cost of £10 per head. Now, I find that the expenditure upon the mail

service has been something like £200,000 during the last five years. The cost of importing 60,000 immigrants has been £1,411,994. The proportionate cost of raising the loan at 5 per cent. has been £71,000. These three items amount to £1,678,994. Now, the bringing out of 60,000 immigrants at £10 per head would be £600,000. The cost of barracks, quarantine, incidentals, and contingencies might be stated at £3 per head, making a total of £780,000. There has thus been an absolute money loss to the colony of £998,994, besides that of having no direct steam communication with England which otherwise we would have had. The opportunity we have now of getting rid of the San Francisco Mail Service altogether is one that should not be lost. There is one proposal which has been omitted. It is said that we should have either the Bay of Islands or Auckland as the port of call; but we should not overlook the central port of the colony, the port of Wellington. I believe it would only entail a loss of one day more in the service. We could get almost daily communication with Dunedin and the South by the Union Steamship Company's boats and by the Australian steamers, and thus obviate the necessity for a coastal service altogether. I would move as an amendment, That the word "Auckland" be omitted, and "Wellington" inserted in lieu thereof; that subsection 2 be struck out, and that "£7,500" be omitted, and "£15,000" inserted instead. We should choose the most economical way of carrying our letters. The colony cannot afford to indulge in the special luxury of a mail service to America. And the necessity of rapid communication, does not exist as formerly, seeing that we have got the telegraph cable.

Mr. SHARP.—I do not think the honorable member for Bruce has put the matter properly before the House. He talks of the costly service. As I understand the proposal, we have to pay £45,000. We must not overlook the fact that we are receiving £23,000 as against that subsidy. We receive the New Zealand postages and the English postages, amounting to that sum; and by the proposed reduction we should then have to pay about £17,000 for the whole service. Every one must admit that the San Francisco Mail Service, as far as New Zealand is concerned, is the most direct and the speediest route. The several amendments before the House certainly leave one in a sort of fog, and one cannot at once decide without considering them carefully which is the best amendment to support. But after all it comes to this: that the House seems to be of opinion that the service should either be modified as pointed out by the honorable member for Port Chalmers or the honorable member for Timaru, or else that it should be done away with altogether. I think the majority of members are of opinion that the contract should be modified. Although there is no doubt that as far as Wellington is concerned it is the most central port of the colony, there is a dislike among contractors to make Wellington the port of call.

An Hon. MEMBER.—Why?

Mr. SHARP.—I do not know why, except for the reason that strikes every one else, that the

weather is of a character which the steamers do not like to encounter. I think the honorable member for Port Chalmers pointed out that by having a line of steamers calling at Auckland, and not running down the coast, the New South Wales Government would gain a direct advantage, inasmuch as there would not be a transhipment of passengers. It is very true, no doubt, that would be the case inwards; but he forgot to state that outwards we have the advantage of New South Wales. I therefore think that, if the Company wish to modify their contract on the terms proposed in this resolution, I shall give my support in favour of the steamers calling at the port of Auckland. I think beyond that point it does not rest with the Company. The Government should keep the control of the inter-provincial service in their own hands, and they should only alter the contract so far as making the port of call in New Zealand, and should retain the distribution of the mails.

Mr. STAFFORD.—I may state that this question was very well considered in Committee. If the Government retain in their own hands the distribution of the mails, we shall not get the New South Wales Government to contribute anything towards the cost. If we compel the contractors still to provide vessels subject to the approval of the Government as to speed and general convenience, we have the Sydney Government paying us one-half the cost, and we shall have the contractors responsible for the due execution of the service; otherwise the contractors' obligation will entirely rest at the Bay of Islands or Auckland, as the case may be, for any breakdown in the distribution of the mails. If the contractors had to distribute the mails, and any breakdown occurred, they would be liable to a penalty. Under these circumstances, the Committee thought the contractors should distribute the mails at the same ports as they do now. The only difference will be that, instead of having larger vessels going down the coast, we should have smaller boats, approved of by the Government.

Mr. MURRAY.—We have now three proposals before us. The proposal of the honorable member for Port Chalmers simply puts the question in a more satisfactory light. I think we should agree to accept the first part of the proposal. The next proposal is as to whether Auckland shall be fixed as a port of call. The amendment of the honorable member for Timaru was that either the Bay of Islands or Auckland should be selected as the port of call. The fourth proposal is that Wellington should be a port of call. By adopting this amendment we shall get our letters in the South two days earlier, and in Auckland they will get their letters two days later. There would be every advantage in having a port of call at Wellington. We should be able to utilize the coal fields on the West Coast. The large steamers could take in a supply of coal at the port of Wellington. The Bay of Islands coal is unsuited for steam purposes, on account of the quantity of sulphur it contains. It is very important that we should use as much of our own productions as possible, and try to reduce

the enormous expenditure that we incur in importing commodities. Anything we can do to develop our local resources will be of advantage to the colony, and will tend to diminish the amount of subsidy the colony has to pay. Therefore, I trust that honorable members who do not come from particularly far north will support my amendment.

Mr. PEARCE.—I cannot permit the statement which fell from the honorable member for Nelson City (Mr. Sharp) to pass by unchallenged. He said that masters of vessels objected to coming to the port of Wellington, and he gave the weather as a reason. I cannot conceive what warrant the honorable member has for making such a statement. In reference to the old Panama Service, there was a stipulation, which was supported by all the masters of vessels, that Wellington should be the port of call. I may say, as a matter of fact, that the first of the Panama steamers that ever came to Wellington was in charge of a perfect stranger, who brought his ship in in the dead of night. I can easily understand that the contractors for the present service may object to the port of Wellington, not on account of bad weather, as the honorable member said, but simply because calling here would take a longer time, and Sydney would object. Unfortunately, our mail is in connection with Sydney, because, if we had been able to work in concert with Victoria, the proper route would have been through Cook Strait, and on to Melbourne, for a San Francisco Service. Unfortunately, we have to deal with Sydney; and this route is too far south to make it the proper one for Sydney. I am inclined to support the motion of the honorable member for Timaru.

Mr. STAFFORD.—I should like to explain what, perhaps, was not clearly expressed in my resolution as drafted. I propose that the option of calling at the Bay of Islands or Auckland should be left to the contractors; and they would have to consider whether they would receive £2,500 less for calling at the Bay of Islands than if they called at Auckland. I also wish the Government could see their way to accept the amendment of the honorable member for Port Chalmers. I think it would come better particularly in respect to giving the option to the contractors which I propose, and would throw upon the contractors the onus of making arrangements more thoroughly than the motion as originally proposed.

Mr. MURRAY-AYNSLEY.—In proposing that the terminus should be at Wellington instead of at Auckland, so that the South should have their mails two days sooner, I think the honorable member for Bruce forgot that the South obtains the benefit of having the Suez mail delivered there first, and I think it only fair to the North that they should receive the greatest advantage from the San Francisco Service. If Wellington were made the port of call, it would make the service to Auckland about two days longer than if the steamers called at the North. By the Bay of Islands would be the best line for the steamers. If a steamer starting from the Manukau brought the letters for Taranaki and

Wellington they could very rapidly be distributed. By the steamers calling at the Bay of Islands instead of Auckland, 250 miles would be saved on the voyage to Sydney, which would be about equal to one day, and that would make a great difference to that colony. With respect to the amount we pay to the Victorian Government for letters sent *via* Suez, I the other day asked the Postmaster-General to make a statement as to how the sum we pay is calculated; but, as that has not been done, I can only take my figures from the returns. I find from the Postmaster-General's report, the payment to Victoria for a year was £9,378 10s. 7d., and 97,666 letters were sent. By San Francisco 310,422 letters were sent, which, at the same rate, would give a cost of about £32,500. We pay £45,000 for the San Francisco Service, so the difference would be very small, and we now have the advantage of a fortnightly mail. Every year we shall send more letters by San Francisco; and I may mention that at the end of 1875 there was a feeling that the San Francisco mail was not regular, and that caused a great number of extra letters to be sent by Suez. If we give up the San Francisco mail, we shall scarcely gain anything in money; we shall lose the second line of communication with England, and the advantage of the connection with the Islands and America.

Mr. SHARP.—I think the honorable member for Wellington City misunderstood me. I admitted that Wellington was a better geographical centre than Auckland for the distribution of the mails; but I said, and I believe I am correct, that there is an antipathy on the part of the contractors both of the Panama and San Francisco lines to coming so far south. That is on record, but I have not the papers by me at present. The difference between calling at Wellington and at a northern port is two or three days.

Mr. CURTIS.—I think two things are pretty clear on the face of the papers laid before the Committee. One is, that the choice of a port of call lies between Auckland and the Bay of Islands, and that Wellington is out of the question. Another point which appears to me to be completely settled is, that the coastal service by the through boats must be given up. I was very glad to hear some attention drawn by the honorable member for Lyttelton to the question of the actual cost of the service. I endeavoured to follow the figures of the Postmaster-General; but I was unable to arrive at the actual cost of the service, beyond the additional sum we should have to pay towards the Suez Service in the event of the abandonment of the San Francisco Service. I do not think the honorable member stated that in distinct figures. That is a matter of very great importance, not perhaps for the information of the House, because honorable members are aware that the actual cost of the service is really very small: at all events, it cannot amount to more than £10,000 a year; whereas the public in the colony generally are under the impression that the service actually costs the whole of the contribution of £45,000 a year in excess of anything we would otherwise have to pay. It is thought that we are paying £45,000 a year for a luxury.

Not only does that impression prevail generally, but the editors of newspapers are constantly dining into the ears of the public that this service costs £45,000 a year, and ought to be abandoned. Therefore I think it is very important that the actual figures should be placed upon record. As to the amendment of the honorable member for Port Chalmers, for expunging certain words in the preamble and inserting other words, I think it is unnecessary. It is made quite clear that the modification is to come from the contractor, and there is no harm in our agreeing that it is expedient that some change should be made. I have no objection to support the amendment of the honorable member if it is any satisfaction to him to add those words to the preamble of the resolution. The amendment of the honorable member for Timaru is, I think, a very judicious one, and throws the onus of selecting the port of call as between the Bay of Islands, and Auckland on the contractors. The modification which the honorable member proposes as to a reduction of the subsidies is also, I think, a very reasonable one. In agreeing to this resolution, I think it is desirable that the House should not tie down the Government too strictly as to the terms of the contract. The House will probably rise before this arrangement can be completed, and there are two other parties to consider; there are not only the contractors, but also the Government of New South Wales. If we tie down the hands of the Government, and state too explicitly every condition we expect to have adhered to, I am afraid that difficulties may arise which we do not foresee. There is one thing I should like to see modified, and that is the coastal service, as it will hereafter have to be performed by the smaller vessels. I think it would be better to leave the alternative in the hands of the Government whether it should be conducted by the contractors, or by the Government. I do not agree with the argument of the honorable member for Timaru that it is absolutely necessary that the distribution of the mails from the port of call to other parts of the colony should be in the hands of the contractors, so that they might be responsible in the case of a breakdown. I do not think that is of importance, but I do see considerable advantage in leaving that matter in the hands of the Government, and at their discretion. I see it might remove difficulties in negotiating with the contractors, and also with the Government of New South Wales. I would propose to amend resolution No. 2 by striking out in the third paragraph the words "by the Company," and to amend No. 3 by inserting, after the word "subsidy," the words "including coastal service." The effect of that amendment would be to leave it in the hands of the Government to deal with that question, which is wholly a minor one after all. During the course of the negotiations it might turn out to be most expedient that the Government should have that power.

Mr. ORMOND.—The honorable gentleman who has just sat down has, to a certain extent, dealt with what I should have brought before the Committee. He has explained that it is a very great mistake to speak, as the honorable member

for Bruce has done, of this being a costly postal service. It is not so; and the great advantage of the service is that, as the number of our letters increases, and the colony grows, so will it be still less expensive. It is correct to say that, at the present moment, the service costs us only £16,000 a year, and, if this arrangement is carried out, will not cost more than £6,000. That cannot be said to be a costly service for the conveyance of our letters to America and England. I think the discussion would be very much limited if the Government would now say whether or not they will accept the amendment proposed by the honorable member for Timaru. If they would accept it, I think a majority of the Committee would then see that we had arrived at a conclusion that we could agree to, and further discussion would be saved. The amendment proposed by the honorable member for Timaru is, practically, the recommendation of the Postal Committee, after very careful inquiry and considerable time in examining into the matter. The only difference is, that while the Committee recommend that either Auckland or the Bay of Islands may be the port of call, and the sum of which New Zealand should be relieved is £10,000, the honorable member for Timaru, leaving the question of the port of call open as between Auckland and the Bay of Islands, diminishes the amount of subsidy to £7,500 if it is arranged that the port of call shall be Auckland, and to £10,000 if to the Bay of Islands. I think, considering the information we have got, there can be little doubt that the Company will have no option in the matter. The Government of New South Wales so strongly insist that it would be an advantage to them to have the Bay of Islands the port of call, that it is sure to be ultimately decided upon. New South Wales will gain twenty-four hours, and New Zealand will lose nothing by that arrangement. I now come to the question of the distribution of the mails; and on that point the amendment of the honorable member for Nelson City is entirely opposed to what was, I think, the unanimous opinion of the Committee. I would point out that nothing would be more likely to interfere with the regularity of the service, and its consequent advantage, than to make two bodies responsible for it. The Committee, in recommending that the Company should have the distribution of the mails, thought it was absolutely necessary this condition should be imposed. There is no doubt it will come to the same thing. The Company will have to arrange with our local companies for their distribution, and it must be an immense advantage to the colony that the Company itself should be responsible. I should imagine that it would make it more costly if the Government had to arrange for different services, than if the arrangement were made by the Company. With regard to the amendment proposing that Wellington should be the port of call, I was glad to hear the honorable member for Wellington City say that it would jeopardize the whole service if such a condition were inserted. There can be no doubt about it, we have an admirable service, carried out by vessels of a class such as we have

never before seen in our ports. For the first time this service is being carried out with regularity and satisfaction, and we should do nothing to jeopardize it. I would ask the Postmaster-General to say whether the Government will agree to the modification proposed by the honorable member for Timaru.

Mr. WHITAKER.—I will accept the amendments proposed by the honorable member for Port Chalmers and the honorable member for Timaru.

Mr. MURRAY.—I wish to state that, in making so large a modification of the contracts, we are perhaps doing an injustice to other contractors with whom it might be possible to make arrangements. I have to-day received the following telegram from the A.S.N. Company:—

"Modification too favorable to company for seven years. Should be open to public contract."

An erroneous impression might be conveyed by what has been said by some honorable members as to the doing away of the coastal service being a saving to the colony of that portion of the subsidy. I would point out that letters will still have to be sent by Suez; therefore all that is struck off must not be put to the credit of the San Francisco Service.

Mr. JOYCE.—I have an amendment to propose. It is this: That this Committee is of opinion that no modification of the existing contract which would dispense with the coastal service would be satisfactory to New Zealand; and that the Company be required to fulfil its engagements subject to the modification, if it can be agreed to, of substituting the Bay of Islands for Auckland as the port of call. In proposing that amendment, I desire to say that, if we part with the coastal service as it is now carried on, we shall part with one of the greatest advantages to be derived by the colony from taking up the San Francisco service at all. It was taken up to promote intercourse with America, in the expectation of a large trade arising. I do not know that it will ever lead to that, but this last contract has not been in operation long enough to determine the question. We have had some slight indications of a trade arising; for I noticed, in the manifest of the last steamer published in the newspapers, that this colony was supplied with a quantity of onions and apples from San Francisco. That certainly does not indicate a large and important trade; but it is a beginning, at all events. If we part with our coastal service, we shall part with the kernel of the nut, and have nothing left but the shell. It would not lead to the opening of a large trade if we merely sent our letters up to the Bay of Islands to catch the steamers as they passed, and it would be very inconvenient to passengers. I shall therefore propose this amendment. I think it would have been a much better position for the Government to have taken up to have said that the service was on its trial, that the time might come when it should cease and determine, and to put the question to this House: Shall we let it determine if the contractors insist upon what they now demand? However, the Government have not chosen to take that course, and, as the nearest

approach to it, I shall propose the amendment which I have read.

Mr. W. WOOD.—I beg to move, as an amendment, That in any modified contract a condition be inserted by which any one of the three contracting parties can terminate the contract by giving two years' notice of their intention to do so. The Postmaster-General, as usual, has made a blunder in accepting the amendments of the honorable member for Port Chalmers and the honorable member for Timaru. There being three contracting parties in this case, he immediately jumped to the conclusion that it would be quite fair that one of these parties should have the power to determine the contract at three months' notice. But he does not see the necessity for giving the same right to all the others. When we take in hand to deal with a matter like this, we should certainly give each of the three contracting parties equal powers with regard to determining the contract.

Mr. REYNOLDS.—Although I would like to support the amendment of the honorable member for Wallace, yet I feel that, if it were carried, we should be damning the service altogether. We have sufficient evidence before us in the correspondence to show that the contractors cannot carry on the contract if they are compelled to continue the coastal service. I am thoroughly satisfied that the San Francisco Service is the best we can possibly get for the colony; and if the resolutions as proposed are carried, and the contractors and the New South Wales Government agree to them, the only cost to the country will be £6,000 for the current year. Every year the cost will be becoming less; and I believe that in eighteen months or two years we shall have nothing to pay at all, as the postages will pay the subsidy. With regard to the remark of the honorable member for Nelson (Mr. Curtis) that it is not advisable to bind the Government, I think we should merely express our opinion, and, if the Government find it necessary to deviate from it, I would not object to their doing so to a small extent. If it were necessary to go beyond the amount fixed by £1,000, £2,000, or even £5,000, I think the Government should take the responsibility on their own shoulders, trusting to be indemnified afterwards by the Legislature. I trust the honorable member for Wallace will not press his amendment. If it is carried, we know perfectly well that it will have the effect of putting an end to the service altogether. If the honorable member is candid, he will confess that that is his object.

Mr. JOYCE.—I do not see why I should regard the honorable member for Port Chalmers as my father confessor.

Question put, "That the words of the amendment proposed by Mr. Reynolds be inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	57
Noes	...	...	...	6
Majority for	...	...	...	51

AYES.

Mr. Andrew,
Major Atkinson,
Mr. Baigent,
Mr. Ballance,
Mr. Barff,
Mr. Bowen,
Mr. Brandon,
Mr. Burns,
Mr. Button,
Mr. Carrington,
Mr. Curtis,
Mr. Dignan,
Sir R. Douglas,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Harper,
Mr. Henry,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kelly,
Mr. Kennedy,
Captain Kenny,
Mr. Lumsden,
Mr. G. McLean,
Mr. Montgomery,
Mr. Murray-Aynsley,

Mr. Nahe,
Mr. Ormond,
Mr. Pearce,
Mr. Pyke,
Mr. Richardson,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Sharp,
Mr. Sheehan,
Mr. Shrimaki,
Mr. Stafford,
Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Tawiti,
Mr. Teachemaker,
Mr. Tole,
Mr. Tribe,
Mr. Wakefield,
Mr. Wason,
Mr. Whitaker,
Mr. Williams,
Mr. W. Wood,
Mr. Woolcock.
Tellers.
Mr. Macfarlane,
Mr. Reynolds.

NOES.

Mr. De Lautour,
Mr. Murray,
Mr. Rees,
Mr. Thomson.

Tellers.
Mr. J. C. Brown,
Mr. Joyce.

PAIRS.

For.
Mr. Bastings,
Mr. Hodgkinson,
Mr. Macandrew,
Mr. Seaton,
Mr. Stout.

Against.
Mr. Tonks,
Mr. Bunny,
Mr. Cox,
Mr. Sharp,
Captain Russell.

The amendment was consequently agreed to.

Mr. REYNOLDS.—I trust the honorable member for Bruce will not press his amendment that the word "Wellington," be substituted for the word "Auckland." That would make a difference of from 48 to 50 hours to the people of New South Wales in the delivery of their mails. That being the case, I do not think we should pass that amendment. It must be remembered that Auckland has a very fine harbour, and I think it would be well were we to divide our favours, and not centre all the expenditure in Wellington.

Mr. HUNTER.—I think the object is to secure a service that would be of the greatest advantage to the whole colony, and under all the circumstances I think that Auckland should continue to be the port of call for the mail steamers.

Mr. Murray's amendment was negatived.

Mr. Stafford's amendment providing that it should be optional with the contractors whether the Bay of Islands or Auckland should be the port of call, was agreed to.

Mr. Curtis's amendment was negatived.

Mr. REYNOLDS.—I move, as an amendment to the third paragraph "That the words '\$27,500' be struck out, and '\$10,000' inserted in lieu thereof. I think that even if we do this, the New South Wales Government will still have the best of the bargain.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	48
Noes	...	...	...	...	16
Majority for	...	...	...	...	32

AYES.

Major Atkinson,
Mr. Baigent,
Mr. Ballance,
Mr. Barff,
Mr. Bowen,
Mr. Brandon,
Mr. Button,
Mr. Carrington,
Mr. Curtis,
Mr. Dignan,
Sir B. Douglas,
Mr. Fisher,
Mr. Fitzroy,
Mr. Hamlin,
Mr. Harper,
Mr. Henry,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kelly,
Mr. Kennedy,
Mr. Lumsden,
Mr. Lusk,
Mr. G. McLean,
Mr. Montgomery,

Mr. Murray-Aynaley,
Mr. Nahe,
Mr. Pearce,
Mr. Rees,
Mr. Richardson,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Stafford,
Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Tole,
Mr. Wakefield,
Mr. Wason,
Mr. Whitaker,
Mr. Williams,
Mr. Woolcock.

Tellers.

Mr. Macfarlane,
Mr. Sheehan.

NOES.

Mr. J. C. Brown,
Mr. Burns,
Mr. De Lautour,
Mr. Gibbs,
Mr. Hialop,
Mr. Joyce,
Captain Kenny,
Mr. Murray,
Mr. Ormond,

Mr. Pyke,
Mr. Shrimaki,
Mr. Thomson,
Mr. Tribe,
Mr. W. Wood.

Tellers.

Mr. Andrew,
Mr. Reynolds.

The amendment was consequently negatived.

Mr. Stafford's amendment, relative to respective reductions to be made for calling at the Bay of Islands or Auckland, was agreed to.

Mr. STAFFORD.—Sir, I will point out, with reference to the amendment of the honorable member for Mataura, that it will, if carried, give the contractors enormous power. They would consider it optional whether they should do their work or not. We have got the service at a price which I do not think is very high. If we give an option without any penalty, depend upon it we shall receive a notice within a week, or possibly within twenty-four hours to conclude the service.

Mr. WHITAKER.—In reality the amendment

of the honorable member for Port Chalmers would put an end to the contract, because it is not at all improbable that we should receive the notice to-morrow morning, as pointed out by the honorable member for Timaru.

Mr. REYNOLDS.—The Company want to make certain modifications, and it is quite competent for the colony, under these circumstances, to secure terms favourable to itself if it can do so. If the twelve months' notice is too short, I will willingly alter it to two years. I do not think there need be any fear of the Company wishing to bring the contract to a termination so speedily. They have their boats on the line, and, after the objections taken by the House last session about the extension of the contract from six to eight years, the proposition of the member for Bruce should be accepted. There can be no reason to anticipate that the Company will be at all anxious to put a stop to the contract because of such a provision. I therefore think the Government would be wanting in their duty if they do not accept such a modification as this. I wish of course to leave all responsibility with the Government, but at the same time we should indicate what our ideas are upon the subject.

Mr. WHITAKER.—If these resolutions are passed to-night, I propose to telegraph them to-morrow morning to the New South Wales Government, and to the contractors; and if we add the amendment of the honorable member for Port Chalmers, it will be tantamount to saying that we wish to throw up the contract.

Mr. BURNS.—I think it right that there should be some stipulation such as that suggested by the honorable member for Port Chalmers. Before two years are over we shall have a steam line by way of the Cape, which may be as serviceable to New Zealand as the San Francisco line, and, if the Company are anxious to make modifications, we should have the privilege of making modifications too.

Mr. REYNOLDS.—I have it on good authority that within eighteen months, or possibly twelve months, a company will be formed to run a line of steamers between Wellington and London by way of the Cape. That being the case, we should not bind ourselves for such a long period as seven years. The Company, I am sure, will agree to this condition, otherwise I would not propose it. If the Postmaster-General had taken proper steps to inform himself of the views of the New South Wales Government, I have no doubt we should have saved £10,000, and would have had these conditions agreed to.

Mr. SWANSON.—The amendment of the honorable member for Port Chalmers means that as long as the contractors make money they are to keep on the contract; but as soon as they lose they are to stop. That would certainly be a nice arrangement for the colony.

Mr. SHEEHAN.—I feel inclined to support the honorable member for Port Chalmers; but I think the feeling of the Committee is that we should give two years' notice. I think, however, that if the amendment is to be agreed to, it should be framed so as to give all the contracting parties the right to terminate the contract.

Mr. W. WOOD.—That was the object of my amendment, and that is the only distinction between it and the motion of the honorable member for Port Chalmers.

Mr. W. Wood's amendment and Mr. Reynolds's amendment put and negatived.

Mr. MURRAY.—I think seven years is too long a time for the continuance of this contract. I shall therefore propose, That any modified contract shall contain a provision by which either the Government or the Company may, at the end of five years, terminate the contract.

Mr. REES.—I do not think it would be right, either to the Company or to the colony, to alter the terms of the contract in this way, at a moment's notice. Supposing the contractors did such a thing? We might find ourselves without a mail service at all, and, if the colony does it, the contractors may be put to enormous loss. There ought to be fair notice on either side.

Mr. MURRAY.—If the honorable gentleman wishes that, I have no objection; but I think provision should be certain to be made in any arrangement. As a matter of business, the Government would stipulate for such a provision.

Mr. SWANSON.—I think the interests of the other parties to the contract should not be ignored by the House, and everything left for them to obtain themselves.

Mr. REYNOLDS.—The honorable gentleman seems to think that the interests of the Company should not be ignored. We have a contract at the present time. We say, "Carry out that contract," and the contractors say they cannot unless it is modified; and then we say, "Very well, these are the terms on which we will agree to modify the contract." The Committee having rejected the proposal for two years' notice, I trust they will accept the amendment of the honorable member for Bruce.

Mr. REES.—I move, Sir, That the words "subject to one year's notice being given on either side" be added to the honorable member for Bruce's amendment.

Mr. MONTGOMERY.—I think, if we make the contract too stringent, we may lead to a difficulty, or to a breach of faith. I think five years is long enough. At the same time, if the Government of New South Wales and our Government could not agree to it, I would be willing to keep the contract as it is.

Mr. WHITAKER.—I think it will be hardly worth while to carry out the proposal of the honorable member for Bruce.

Amendment negatived, and original motion as amended agreed to.

The resolution was reported to the House. On the question, That it be read a second time,

Mr. REYNOLDS.—I wish to have it recorded that I dissent entirely from the course that has been adopted. In the first place, I object altogether to the Government not accepting the proposition made some months ago. Considering the action taken by the House last session on this subject, I think it has displayed a great deal of inconsistency in refusing to accept the amendment of the honorable member for Bruce.

Mr. MURRAY.—I think the Committee was rather misled by the Postmaster-General. If we dispense with the San Francisco Service altogether, the total cost by the Suez line would then only be £15,896.

Resolution read a second time and agreed to, "That in the event of the contractors for the San Francisco Mail Service being desirous of modifying the conditions of their contract, and in the event of the Government of New South Wales deeming it expedient that the contract should be modified, this House would consent to such modification on the following terms:—(1.) That the service be direct from San Francisco to Sydney, calling at Honolulu and at Auckland, or at the Bay of Islands, at the option of the contractors. (2.) That the coastal service be performed by the Company by ten-knot boats, to be approved of by the Government. (3.) That the share of New Zealand contribution to the subsidy be reduced by £7,500 if calling at Auckland, or £10,000 if calling at the Bay of Islands."

ABOLITION.

DEBATE RESUMED.

Mr. DE LAUTOUR.—I am aware that the House regrets that this debate has arisen, and I think the House further regrets that the despatch was laid on the table, and perhaps more strongly that the despatch was ever written at all. But it having been written, it having been laid on the table, and having become the property of the House, I do not see how the House can escape from the necessity of taking cognizance of it in a way that such cognizance will appear on the records of the House. I cannot understand the squeamishness of some honorable members in this House in regard to every allusion to Her Majesty's representative in this colony. I can imagine a possibility that might arise in the colony, in which and upon which it might be the duty of the representative House to consult Her Majesty, and ask that her representative might be recalled. In such a case it would be impossible to do so if the action of Her Majesty's representative was not to be discussed in this House. I am aware that a line has been drawn between the action of the representative of Her Majesty in regard to his Responsible Ministers, and in regard to his position as responsible to the Crown only; and no doubt, in the matter under consideration at the present time, we are considering a despatch for which the representative of the Crown is responsible to the Crown only. I can fancy that a case might arise in which the representative of Her Majesty might, unfortunately, lend himself to a scheme of great magnitude by which, with the assistance of his Responsible Ministers, he might hope to build up a monopoly in which he might be a great gainer, and in such a case it would be right for this House to consider such action and make such representations with regard to it as we should think fit. We all acknowledge that the despatch under consideration is ill-advised, and I think there is one special point which is ill-advised and which has not been alluded to yet, that is the extreme impolicy of it; because no one can deny

for a moment that the member for the Thames has a greater following in this colony than any other one man in it, and any direct insult offered by any one, be he high or be he low, to that honorable member, is taken up far more strongly by those who follow him than by himself. The insults thrown upon the Superintendent of Otago and the Superintendent of Auckland by the Government, and upon one of them in this despatch, are calculated to exasperate the people of the North and South, and to make them forget, if possible, the duty which they owe to the Crown. Sir, it would have been wise if Ministers, in advising His Excellency, or in the part which they took themselves in this transaction—I say it would have been wise of them to remember that a large minority in this House must necessarily represent a very large section of the public. Many of us are of opinion that the minority in this House represent the majority outside the House; but, assuming that it does not, we must admit that the minority in this House is a sufficiently large one to represent a very large portion of the inhabitants of this colony. It is, therefore, madness for the Government to go on heaping insults upon the minority. I am aware that a division on a late occasion was taken advantage of to show that the country is against the policy—is very largely against the policy which is now under consideration; but Ministers ruthlessly ignore the fact that prominent members of the Opposition either refused to vote, or went into the lobby, with them on that occasion, so that there might not be a shadow of imputation cast upon them as in any way obstructing the Government. The division on the Counties Bill was no criterion of the feeling of members, no indication of approval of the county system as against the provincial system. It was not right to mislead the Secretary of State as he has been misled by the Government claiming a majority of votes as in favour of the Abolition policy. For these reasons I shall move, as an amendment, That this House regrets that the despatch from His Excellency the Governor to the Secretary of State, of the 21st June, 1876, laid upon the table by Ministers last night, is ill-advised.

Sir G. GREY.—Sir, the amendment which has been moved gives me the opportunity of making some reply to what, I think, is the very unsatisfactory line of conduct pursued by the Government in reference to the despatch of which I have made complaint. I would ask this House to consider that the despatch I speak of was addressed by the Governor of this country to Her Majesty's Principal Secretary of State, for Her Majesty's information; that it contained a private letter, written by an inhabitant of the town of Auckland to the Governor's Private Secretary, meant for the Governor's private eye, the expression being, "You can show it to Lord Normanby if you think fit." That, Sir, is the expression used in that letter. Well, this document was sent Home by the Governor to the Secretary of State. It is made a part of the public records in England, liable to be produced in centuries to come. That private letter has been made the basis on which the most serious accusations were levelled against

myself, in language of no ordinary kind—in language such as I have never seen previously, I think, in a State document—in language such as I think I have never seen before come from a person holding such an exalted position as the writer of that despatch holds. Now, according to all the rules of justice and courtesy—I mean the barest justice to the poorest of Her Majesty's subjects—the letter which was made the ground of these accusations against myself ought to have been forwarded to me for my reply. That letter related to a conversation stated to have been held with me at least twelve months previously. The writer admitted that he was himself doubtful as to the precise words of that conversation, as any man must have been after the lapse of such an interval of time. As for myself I do not recollect anything about it as it is stated here. The words, in the order and connection in which they are put, were not used in that order and connection by myself. After I had denied the accuracy of the charges made against me, the simple reply I received was insult added to insult. The House was told by the Premier that, had I not known that the accusations contained in that letter were true, they would not have heard from me the speech that I had made. That was after my own denial of the accusation, and after some one or two other speakers also denied it on their own behalf. That gentleman spoke on behalf of the Governor of this colony; he spoke in his name. I regret that such a line of conduct should have been pursued. So much malevolence was exhibited by the honorable member who was representing the Governor, that when he read from my letter one extract, putting his own interpretation on it, he refused, even at my earnest request, to read a further extract which explained it. I believe, Sir, that probably so wrong an act as one individual bringing against another an accusation so unjust and so uncourteous was never before committed in any Assembly. The charges were two. One charge made in this despatch, in very strong language indeed, is to this effect: that, when the resolution in favour of abolition had been passed by the Provincial Council of Auckland, it "was only rescinded next day by a majority of one, at the direct instigation and dictation of Sir George Grey himself." The House has heard this night from three gentlemen a direct and positive refutation of that statement and of that accusation. The gentleman who proposed the resolution has told the House that he had never seen me when he did it. The gentleman who is next mainly concerned, assured the House that, at the time he did this, he had never conversed with me upon public affairs at all. Another gentleman pledged his word also to the House that this statement is positively untrue. Yet, Sir, that having been so conclusively proved by the mouth of three witnesses, and three witnesses who must have been thoroughly acquainted with all the circumstances of the case, no expression of regret on behalf of the Governor has been made by his Responsible Advisers. They have remained in dogged silence, triumphing, I may say, over the wicked action they have performed. I think, Sir, such a proceeding will appear to be almost incredible

What was said in reference to that, and in reference to the other accusations made against me? I was told simply that the ordinary sources of redress were open to me if I desired them. Now, when that was stated, the honorable gentleman who stated it must have known that he was stating that which was not the case; that he was deliberately making a statement contrary to fact, which must have misled this House and the country. What poor redress was left to me in regard to Great Britain? What redress have I now against the impression which has been created there? Was anything more manifestly unjust ever before said? Any individual who chooses to throw aside all the rules which men generally follow with regard to justice, with regard to what is really the fact—I say any man who chooses to violate those rules, and to stand up boldly and make what assertions he pleases, of course passes our control. There are no means of dealing with such persons, except leaving them to that public reprobation which I have no doubt will fall upon them. Then another accusation was made against me, which was to this effect: I was distinctly charged, in words, with having been the first to spread a report of the most malicious character. What redress is now left to me against an accusation of that kind? How can I, under such circumstances, hope to obliterate from the minds of those at Home the impression that must have been created. Some months must now elapse before any letter I can address could reach such persons. For that also, on the part of the Governor, no single word of regret has been expressed? I would ask, Sir, how they pretend to justify those proceedings on their part, and what has been said by themselves. Sir, I would call your attention even to this: that whilst pleading against injustice done me, that I may see the contempt with which I am treated, the Prime Minister deliberately reads a newspaper, and will not listen to the defence I make, thus violating the rules of this House, the rules of courtesy, and, I must say, all rules of fairness, in the manner he always does. The accusation is first that I addressed a letter direct to the Secretary of State. I have a right so to do. I have been told that such a letter must go through the hands of the Governor if I expect attention to be paid to it. Now, it will be seen from the letter I wrote at the time that the matter on which I addressed the Secretary of State was urgent; and I believed, when I wrote that letter, that delay would take place in transmitting it to Her Majesty's Ministers and to the Queen, in order that advice might be taken from the Governor's Ministers, which, I submit, no rule of etiquette or custom of the service rendered necessary to be taken. According to the rules of the service, it was the duty of the Governor to have transmitted my letter with such remarks from himself as he thought necessary. I furnished him with a copy of the letter for that express purpose. He could have easily done it; and by next mail Ministers could have forwarded any report they pleased. As Superintendent of the province, I was in no way bound to send my letter through them, or to recognize them in any way whatever; and that

they know perfectly well. The letter I addressed to the Secretary of State was one to which an immediate reply was required, for many reasons. It was not only required on account of the question I raised about the Queen's ships, but I raised most important legal questions upon points regarding which this House ought to receive information. Had the delay not taken place in the transmission of my letter, which resulted from the proceedings of the Governor, there is no doubt a reply might have reached the colony before this time, and this House would have been in possession of an opinion which they ought to have been put in possession of long since—the opinion of the Law Officers of the Crown. On that point I say further, Sir, that the Governor himself returned no proper reply to me. The question that I raised was that warnings were in circulation in several parts of the colony that the Queen's vessels were to be employed against Her Majesty's subjects here in the event of any difficulty taking place between themselves and the Colonial Government. It was said that I must have imagined them to be mad—either that one should advise the employment of the Queen's vessels or forces against Her Majesty's subjects here, or that the other would have taken the advice. I say, Sir, that when that was alleged they knew perfectly well that they were misleading the Home authorities. They knew perfectly well that upon a very minor occasion indeed in this colony, when a very partial disturbance took place, they did embark Her Majesty's troops on board a man-of-war, and did deliberately intend to use that man-of-war and Her Majesty's forces against the Queen's European subjects in this country. They knew that, but they concealed the fact. And, Sir, if they did not intend so to use the Queen's troops and so to use the Queen's vessels—I use the word "troops" as referring to the marines as an armed land force—why not at once have given me the assurance which they have now given? I think no sufficient answer has been given to that. Again, the excuse made to me for detaining from me the knowledge of what the Governor had written regarding myself on the information which he had received, was that he was anxious to wait until he had received an answer from Home, in order that he might lay the whole subject before this Parliament at once. I say this is no correct answer. I say they knew when they stated that, that they were alleging a flimsy excuse which they knew was not a fact. Except for the very late period this Parliament has been kept in session it would have been impossible for them to have done that. There was every probability in the world, when this letter was written in the month of June, that Parliament would not have been in session when the reply was received, and they deliberately attempted to mislead this House and the country in making the statement which they did upon that subject. They knew well that the reply could not have been received in time, and, Sir, in truth that was no answer at all. What reply is that to the injury that has been done to me at Home by the despatch they have sent there, an injury wan-

ton in itself, and one against which it was impossible for me in any way to defend myself? This is no excuse whatever, and I believe they know that. If it had not been for the proceedings that took place in this House the other night, which enabled me to insist upon the production of this despatch regarding myself, which I suspected to be in existence from the fact that no notice had been taken of my letter, leading me to think that something unkind or ungenerous had been sent Home with regard to myself—except for these circumstances we would never have seen the letter of which we are now in possession. I have been said to have acted wrongly in saying that I have been subjected to the action of spies. I repeat again that such undoubtedly is the case. Can any one read the telegrams that were received by the Native Minister from the Waikato, and those letters which were sent down, and say that they did not contain exactly just such accusations as spies always furnish to tyrants—exactly such accusations as are never made against a free people who can obtain open justice and redress? Again, I say, in the case of this very letter, the whole thing is the action of a spy. What can be the action of a spy except to question you without warning you that he is about to betray any answer you may make, in his own language, to a higher power? What can the action of a spy be otherwise than to transmit secretly some statement against you of an alleged conversation of which you have no knowledge, to the Private Secretary of the person highest in authority in the country, that it may be secretly given to that person? What can be the action of a spy but then to send that information so furnished to the persons highest in authority in your own country—to your own Sovereign? I say that, throughout, the whole proceeding has been such as is followed by spies—an action discreditable, dishonorable to the Ministry here who have borne a part in it, and to the main instigator in the case. I appeal to any writer upon morals, to any writer upon history, to say whether these actions are not such as have always taken place where people have been attempting to oppress their fellow-countrymen. Look, Sir, at the history of ancient Rome. Look at the *delators* who filled the minds of the Emperors with suspicions, and advanced accusations against the Senators, and see if anything worse than this was ever done. Sir, it is to climb the backstairs of Courts to fill the ears of those who sit to rule their fellow-men with the poison of malice, to instigate them against those you treat as rivals, and who you know are exposing your wrong-doings to your fellow-countrymen. Such, I say, undoubtedly is the fact in this case. How an answer can be returned to that I know not. What excuse can be made for it I am incapable of conceiving. Some excuse was attempted to be made for several reasons by the honorable member for Wellington City, and it was with regret I heard some things he said. He instanced my recent telegram to the Secretary of State as something similar to what I said was done in Auckland; but I say that that was no excuse for the proceeding of the

Government. What was there wrong or unbecoming in that telegram itself? I had been informed in June, for reasons which I believed, and from persons whom I believed, and throughout the colony warnings had been spread, that the Queen's vessels were going to be used against Her Majesty's subjects in the same manner as was intended to be done upon a previous occasion. I made representations upon that to the Governor, and he never denied the thing to me—he never told me I was mistaken; he never said it was not to be the case; and the other day, before I sent that telegram, I was informed that the same statements were made openly by the supporters of the Government in this city. I contend that, under such circumstances, it was my duty to state to the Home Government the fact that such warnings were still in circulation. He then went on to state that I could not have believed that disturbances were imminent. I state that I do believe that disturbances are imminent, and I believe it is himself and others who help to render such disturbances possible and probable. I believe he is the individual, and those who are with him who are following a course adverse to the interest of their fellow-countrymen. Believing that such was the case, I did my duty as a good subject in endeavouring to save the country from disturbances which threatened. I cannot think that he could conceive in his own mind, or that other honorable gentlemen could conceive, that the people could quietly submit to see the whole of their revenues taken from them, to find themselves placed in an inferior position to their fellow-countrymen—to find that institutions to which they are attached are in their belief unlawfully taken away, that their own Provincial Legislatures are not allowed to make terms with the General Government as to the conditions upon which they will give up their powers. I cannot believe that men should be subjected to such things, and that no danger of disturbance would exist. If so, then I can only say that the men who were spoken of in such a way are deficient in qualities which men usually prize. I say they must be deficient in self-respect, in love of liberty; in the feeling that they ought not to be taxed for the good of others, and not for themselves; in the feeling that their land and their revenues ought not to be taken from them without their own consent; in the feeling that, if they have prized charters given to them, they ought to struggle to maintain them. I judge of my fellow-men very differently from him. I can only say if I was a youth in New Zealand, such feelings must animate my mind; and I believe that such feelings do animate many minds, and that he is little aware, and those who act with him are little aware, in the injustice they are doing to their fellow-countrymen, of the feelings of bitterness they have created, and of what the probable outcome of such feelings must be. We were told it was absurd to say these things should be left to the Provincial Councils, because the Provincial Councils could not meet again. But that is the very question. I think, and many others think with me, that the Provincial Councils can meet; that there is no

lawful impediment to their meeting. I think, and many others think with me, that the general law of the Empire ought to be followed out, and that such Legislatures ought not to be destroyed without their own consent. I believe that in the case of the inhabitants of Auckland, before they consent to come under this system of abolition as it is termed—abolition it is not, for such a term does not apply to what is about to be done—before they come under the new form of government to be imposed upon them, they have a right to state the terms upon which they will do so—that they will have compensation for the lands and revenue of which they are to be deprived, and, before they give up the rights they have, to make up their minds as to the terms upon which they will surrender those rights, or whether they will surrender them at all or not. I go further, and say that so great a desire to acquire these rights does exist in the minds of certain people in the colony, that the people of Auckland have a right to make a hard bargain, and get the best terms. I say that the attempts of that honorable gentleman and his friends apparently to deprive them of these privileges are the attempts of cruel men who do not feel for their fellow-countrymen as they ought to feel. Then I was told that I had acted wrongly in seeking the interference of a foreign Power. I wonder so little shame rests on men's tongues that they can apply such terms to the mother country. A foreign Power! The Power that gave us these institutions, and that took such care of us—is that a foreign Power? The Power that has a right to protect us in the enjoyment of these institutions—is that a foreign Power? They know it is not a foreign Power. Was it to a foreign Power they addressed this despatch to ruin me if they could? Was that a foreign Power? No, Sir, they knew it was a Power that we all reverence—that is the mother of us all. And that is the Power to which they forwarded accusations of this kind. When they forward such accusations themselves, they call it then a patriotic Government, and a Government to which we always look. But the moment we seek to have our rights maintained by that Power whose duty it is to do it, it is a foreign Power, and we are traitors for seeking sympathy there. I cannot understand such an argument. I feel that we who have been wronged, as the people in the north of this colony have been, have a right to appeal to the Empire; that we who feel that the rights we possess are being unjustly taken from us by men in power, that the land is being unjustly taken from the Native population by men who desire to acquire great wealth for themselves—we who believe that our revenues are unjustly spent—I say we have a right to appeal to that Power, and to seek for that redress which is denied us here; and the very fact of that redress being so denied us should animate our minds persistently to go to the source of justice from which redress can be obtained, and to seek protection from violence which may arise in this country. I contend that in doing my utmost to prevent violence arising, to prevent these reports being circulated, these threats being used, I was the real lover of

peace—the man who really desired to secure for his countrymen the possession of those rights to which they are entitled. I still hope that this House will see that some justice is done in this case. I still hope that they will determine that a document of this kind ought not to be sent Home secretly against a fellow-subject in this country. I believe that, if a humble petitioner had laid a petition on the table of this House, complaining of such a thing having been done, and it had gone before a Committee, universal indignation would have been felt. But a political opponent, because he has endeavoured to stop the Government in a career which he believes to be wrong, and which I may say more than 100,000 people—perhaps 200,000 people—of this country believe to be wrong, because he crosses their desire to do that which they consider advantageous themselves—may be attacked in this manner without any means of redress whatever. I still hope, Sir, that the House will see some justice done in this Assembly. Altogether, I am not sorry that this has occurred, because now a new era will begin to dawn upon this country. Many men will now feel the truth of what I for some time have urged—that our Governors ought not, in the present state of this country, to be appointed as they are now. A man chosen from amongst ourselves would never have inflicted this wrong upon a fellow-countryman. A man chosen from amongst ourselves would have taken care that a Ministry which had advised him to perpetrate such a wrong, and had offered to assist him in doing it, were not allowed to remain in power without their conduct being made known to this Parliament. I say that if, at the commencement of this session, this fact had been made known to this House, I believe the course of the session would have been very different from what it has been. But, Sir, I see a bright future arising out of the mists which cloud my own mind at the present time, and out of the wrongs which this country is suffering under. Out of that vast expenditure which has been squandered in so reckless a manner, out of all those disasters, I see a bright light beginning to arise. I know that there will be a change in our form of government—that an end must shortly come to this state of things. The money is now nearly at an end; and when that money is finished, then also will finish that power which has perpetrated wrongs of this kind. I feel certain in my own mind that this very document, written about myself, will hereafter become in this country an historical document. The people will trace from a wrong of this kind reforms which will be beneficial to New Zealand—changes in our institutions which will secure the happiness of the future millions who are to inhabit this country. It is well that the real character of the men who are doing these things should have been brought to light as they have been in the present instance. I hope the House will rise to a consideration of what it ought to do on this occasion, and that it will leave an example behind it which will testify to future times that it did not fear to do its duty against the frowns of power, and that there are in it men capable of de-

termining that justice should be done, and that, whoever the offender may be who has wronged his fellow-man, his offence shall be stamped with the reprobation it undoubtedly deserves.

Question put, "That the words 'That Mr. Speaker do now leave the chair, that the House may go into Committee of Supply,' proposed to be omitted, do stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	25
Majority for	...	...	...	...	9

AYES.

Major Atkinson,	Mr. Ormond,
Mr. Ballance,	Mr. Pearce,
Mr. Barff,	Mr. Reynolds,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Rowe,
Mr. Bryce,	Mr. Seymour,
Mr. Button,	Mr. Stafford,
Sir R. Douglas,	Mr. Tawiti,
Mr. Fitzroy,	Mr. Teschemaker,
Mr. Gibbs,	Mr. Tribe,
Mr. Harper,	Mr. Wason,
Mr. Henry,	Mr. Whitaker,
Mr. Hunter,	Mr. Williams,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Kennedy,	
Mr. Larnach,	<i>Tellers.</i>
Mr. G. McLean,	Mr. Kelly,
Mr. Murray-Aynsley,	Mr. Pyke.

NOES.

Mr. Baigent,	Mr. Nahe,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Burns,	Mr. Rees,
Mr. Dignan,	Mr. Rolleston,
Mr. Fisher,	Mr. Sheehan,
Sir G. Grey,	Mr. Swanson,
Mr. Hamlin,	Mr. Takamoana,
Mr. Hislop,	Mr. Toile,
Mr. Joyce,	Mr. Wakefield,
Mr. Lumsden,	Mr. W. Wood.
Mr. Lusk,	<i>Tellers.</i>
Mr. Montgomery,	Mr. De Lautour,
Mr. Murray,	Mr. Thomson.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Bunny,	Mr. Hodgkinson,
Mr. Carrington,	Mr. Shrimski,
Mr. Cox,	Mr. Macandrew,
Captain Russell,	Mr. Stout,
Mr. Sharp.	Mr. Seaton.

The amendment was consequently negatived.

HANSARD.

Mr. SPEAKER said that the honorable member for Mount Ida a few nights ago made a complaint with regard to certain discrepancies in the *Hansard* reports. The Chairman of the Reporting Debates Committee had called upon the chief of the reporting staff to offer an explanation, and that explanation was embodied in the following letter, which he would request the Clerk to read:—

"Hansard Office,

"13th October, 1876.

"SIR,—In regard to the questions raised in the House on Wednesday, with regard—(1.) to the omission from *Hansard* of any report, in Committee on the Education Boards Bill, of Mr. Stafford's motion for the addition of Mr. Belfield's name to the Canterbury Board; (2.) to the omission from *Hansard* of the speeches of Mr. Fitzroy and Mr. Whitaker on the question of privilege on the 29th September; and (3.) to the correction or non-correction of Mr. Wakefield's speeches on the same occasion,—I have the honor to say,—

"(1.) Amendments of Bills in Committee are only recorded in *Hansard* when a division is taken; and no division was taken on Mr. Stafford's motion, therefore it was not recorded.

"(2.) Mr. Fitzroy's and Mr. Whitaker's speeches were accidentally omitted. I took these speeches as well as some of those which preceded and followed them, and am entirely to blame for their omission; but whether in the hurry of business I omitted to write them out, or, having written them out, mislaid the copy, I cannot now say. My recollection is that I wrote them out; but I cannot find the copy. Certainly it never reached the printer.

"(3.) Mr. Wakefield did not correct his speeches. The reports in the proof-slips and in the published number are the same, with the exception of one or two typographical corrections made by the press reader. The report is a verbatim report of what Mr. Wakefield said.—I have, &c.,

"C. C. N. BARROW."

SUPPLY.

The House went into Committee of Supply.

CLASS II.—LAW AND JUSTICE.

Resident Magistrates' Courts, £25,151 12s.

Mr. REES would call the attention of the Government to the fact that the Resident Magistrates' Courts in many instances did not give satisfaction to the public. Of course, some of the gentlemen who acted as Resident Magistrates were good and efficient officers; but in the out-districts the way in which justice was administered was not at all satisfactory. Complaints were made to the Government, and even to the House; but they had not been attended to for years past. It was quite evident, both to the profession and to the public, that some better system of management in regard to these Courts should be introduced, in order that the ends of justice might not be defeated. He did not know the gentleman who filled the position of Resident Magistrate in Wellington; but he had heard from professional friends and the public that there was often a good deal of dissatisfaction felt on account of the judgments which were given in that gentleman's Court. He knew that in other places the Resident Magistrates did not give general satisfaction; and he had no doubt that he would be borne out in that by the Minister of Justice and the Postmaster-General, who were both professional men. Very bitter complaints were made of the enormous powers which were possessed by Resident Magistrates, and of the arbitrary way in

which those powers were exercised. He would suggest to the Government that they should repeal that clause in the Resident Magistrates Act which gave the Resident Magistrate the power to refuse an appeal when he thought proper to do so. If any discretion at all was to be allowed, it should be strictly defined as a discretion to be exercised in such a way as was consistent with law and justice. At present, the law relating to appeals was of the most unsatisfactory nature. While referring to Resident Magistrates, he might state that a short time ago a case was being heard by Mr. Barstow, the Resident Magistrate of Auckland, and one of the professional gentlemen engaged in the case quoted in support of his argument a judgment of Lord Chief Baron Abinger. The Resident Magistrate however paid no attention to this authority; in fact, he refused to allow it to influence him in the slightest degree, because, as he said, he had heard that Lord Abinger's judgments had often been questioned. Honorable gentlemen might imagine what great power a Resident Magistrate in an outlying district would possess, especially when there was no appeal from his decisions. He had received letters asking him to bring this matter under the notice of the House. People would not go into the Resident Magistrates' Courts in many cases because they knew that if they happened to be on unfriendly terms with those in power they would not be able to get justice. The fact was, that it was never known merely from the facts and law how a judgment would go. Some of the Resident Magistrates had had no legal training whatever, and consequently they were often not in a position to give really proper judgments. He held that there ought to be some stricter system of administering justice in those Courts; and he was also of opinion that the Resident Magistrates ought to be changed about from place to place periodically. They ought not to be allowed to remain so long in any one place as to get surrounded by friends or enemies. He did not accuse those gentlemen of doing wrong intentionally; but the fact was, that great dissatisfaction existed in connection with the present administration of the law in the smaller Courts. Of course, some Magistrates were good men, and men who were determined to do strict justice; but, on the other hand, it was well known that in a great number of districts there were persons acting as Resident Magistrates who were to some extent prejudiced, and who did not give that time and attention to cases brought before them which ought to be given where the people had no appeal. He hoped the Government would take some steps to rectify what was growing into a great public abuse. He was of opinion that the Resident Magistrates should all be men who had had legal training.

Mr. WHITAKER said he quite agreed with the honorable member who had just sat down when he said that the administration of justice in out-districts was of a rough character. He agreed with the honorable gentleman that those who occupied the positions of Resident Magistrates should be professional men; but that would involve a very large expenditure. He did

not suppose that there were half a dozen positions in the colony which professional gentlemen would accept. In a young country like this, there was no doubt very great difficulty in administering justice in the out-districts. He had heard complaints of the kind referred to by the honorable gentleman formerly, when he was in office, and he had always investigated them; and, when he found the Resident Magistrate to be in the wrong, he had never found any difficulty in setting things right. There was only one way of remedying the evil complained of, and that was by appropriating a sufficient sum of money to procure properly-trained men for the positions. But this would entail such an expense as to be practically impossible.

Mr. PYKE denied that any such complaints could justly be made about the Resident Magistrates in the outlying districts. The difficulty the Government had experienced there had not been caused by complaints against the Magistrates or Wardens; the difficulty had been that whenever they endeavoured to shift a Warden from one locality to another, the people opposed such removal. There might be some parts of the colony where justice was improperly administered, but he objected to the remarks of the honorable gentleman being made to apply to the whole colony. To say that the people looked upon the Magistrates as corrupt, as persons who favoured their friends, was a very serious charge. If there were such cases, they should be immediately inquired into. Magistrates who acted in this way should not be "shifted;" they should be dismissed from the service.

Mr. BOWEN said it was difficult to draw the line as to where the Government should interfere in questions of complaint as to the performance of the judicial duties of Resident Magistrates. It would not do to make the Executive Government a Court of Appeal; and he for one would discourage it as long as there was a superior Court to appeal to. As to the large body of Magistrates, he must say that they administered justice with advantage to the country at large, but for many years to come it would be difficult to get trained men to fill all these positions. A thoroughly efficient Magistrate should have a thoroughly sound discretion and a thorough knowledge of the law; and such men were difficult to get, and could not be got under present circumstances. It did not follow, that because a man was a lawyer, therefore he had the discretion necessary for a Magistrate entrusted with large judicial powers. If a lawyer of high attainments could not be obtained, it was better to have a man of good attainments who was not a lawyer. It would, however, be necessary to introduce amendments in the Resident Magistrates Act, especially with regard to appeals; and he hoped the Government would be able to submit some amendments of that sort to the House.

Mr. WASON drew attention to the item "Resident Magistrate, Christchurch, Leeston, and Ashburton," and reminded the Minister of Justice that a petition in reference to this matter had been presented to the House this session. The distance this Magistrate had to travel was far too

great, and it was absolutely impossible he could perform the work. It was necessary, therefore, that an additional officer should be appointed; and although it could not be expected that the Government should pay a salary of £400 a year to maintain another Magistrate in the district, it was not too much to ask that they should provide a sum of £100 a year, for which sum one of the Justices would no doubt undertake the extra work.

Sir R. DOUGLAS pointed out as a curious circumstance that the Resident Magistrate at Whangarei resided at Whangarei Heads, and that the Court was without a clerk. The drawback of all this was that it caused great inconvenience to the inhabitants. He would ask the Minister of Justice whether he could not direct the Resident Magistrate at Whangarei to reside there instead of at the Heads.

Mr. BRANDON said he did not frequently visit the Resident Magistrate's Court at Wellington, but he knew that there were few appeals against his decisions; and although he had very difficult duties to perform, he acquitted himself very satisfactorily.

Mr. LARNACH noticed that the Chief Clerk in the Resident Magistrate's Court at Dunedin was put down for an increase of £25, while the Clerk at the Police Court, who was his senior officer, although he received the higher salary of the two last year, now received £25 less. He would like to know upon what principle this change was made.

Mr. BOWEN said the £25 was not an increase. Formerly the Chief Clerk held another office, which was found to be incompatible, and the salary of the two offices had now been amalgamated.

Mr. REYNOLDS said that, though the Police Court Clerk was the senior officer, there might be very good reasons why the Chief Clerk should receive the higher salary.

Mr. PYKE hoped the Government would take the case of the Police Court Clerk into consideration. He was an old officer and a good officer; and if it were not for his extreme fitness for his office, the business of the Court could not be got over at all, because every day fresh Justices, knowing little or nothing of the law, took their seats on the bench, and trusted entirely to the Clerk to see that things were done properly.

Mr. BOWEN, in reply to the questions of honorable members, was inaudible in the gallery.

Mr. HISLOP referred to three points as to which he thought the Resident Magistrates Act was capable of improvement. First, it had been admitted by the Minister of Justice that Resident Magistrates had more power in one particular respect than was vested in any other judicial officer. Secondly, it had been decided by the Supreme Court that there was no appeal from the decision of the Resident Magistrate given in cases of interpleader, a description of action which invariably involved minute questions of law. The third point had reference to the time within which cases of appeal must be settled.

Item, £25,151 12s., agreed to.

Wardens' Courts, £9,069 8s. 9d.

Mr. GIBBS drew attention to the fact that no allowance for travelling expenses was put down for the Resident Magistrate at Collingwood, who had to travel a great deal.

Mr. BOWEN said that these items were all taken from the provincial estimates.

Mr. PYKE suggested that the item be reduced to £8,369 8s. 9d. The items he desired to be struck out were, one "Chinese Interpreter, £200," and one "Warden, £500." There were too many Wardens. In the district of Wakatipu, there were two Wardens. The second appointment had been an unnecessary one, and might advantageously be dispensed with. The consequence of having two officers where one would be sufficient was, that they had not enough to do to keep them employed. The items might well be saved.

Mr. BOWEN said these services were taken from the provincial estimates. He would look into the matter; and, if it were found possible to remove one officer, it would be done.

Mr. MURRAY asked if the Government had increased any of the provincial estimates.

Mr. BOWEN replied in the negative.

Mr. KENNEDY thought it was necessary that Wardens should be periodically changed. A feeling existed on the gold fields that such a course would be an advantage.

Mr. DE LAUTOUE said that a few years ago the Wardens of Otago held no sinecures, and especially at Clyde. Recently, however, they had had all sorts of duties cast upon them, and their time was fully taken up. They acted as Land Officers, Licensed Commissioners, and in many other capacities. It would be a pity, therefore, to adopt the suggestion of the honorable member for Dunstan.

Mr. WOOLCOCK believed that these estimates were copied, in some parts, from the provincial estimates; and he presumed the Government would endeavour to make all possible reductions, so as to secure the efficiency of the service at the lowest possible expense.

Mr. REID believed it would be possible to dispense with one of the Wardens on the gold field referred to. One of them was at Home on leave of absence; and his salary must be provided for.

Mr. LARNACH observed that the Warden and Resident Magistrate of Collingwood was put down at £150, and the Warden of Totara, Kanieri, and Arahura at £100. He would like to know if they were employed in any other way.

Mr. BOWEN said both of them were employed as Resident Magistrates, and were paid by the General Government. The Warden at Collingwood was also Collector of Customs and Portmaster.

Mr. LARNACH said it was inconvenient to have the salaries paid to an officer appearing in different parts of the estimates. The total emoluments paid should be put under one heading.

Mr. BOWEN said that was done in the estimates of original Government departments; but there had not been time to do this in the case of Provincial estimates adopted for the next six months.

Item, £9,069 8s. 9d., agreed to.

Petty Sessions Courts, £300.

Mr. SHEEHAN suggested to the Government the desirability of doing away with the Petty Sessions Courts. The money ought to be spent in paying travelling Magistrates. The practical work of administering justice ought to be left to those actually acquainted with it, and not to Justices of the Peace in country districts, who for the most part were unable from want of experience to discharge such duties.

Item, £300, agreed to.

Criminal Prosecutions, £7,300, agreed to.

"The Coroners Act, 1867"—Fees and Expenses on Inquests, £2,200, agreed to.

Contingencies, £2,650, agreed to.

Police, £39,462 12s. 9d.

Mr. SHEEHAN pointed out that the rates of pay of men in the various provinces varied very much. He thought the pay should be uniform throughout the colony.

Mr. REES said the number of constables in Auckland was less than in other parts in proportion to the population; but that was owing to the fact that the province had not been able to keep a large police force. He thought that would be found to be the reason why there had been these special constables.

Mr. HAMLIN said the rate of pay was so small that only a very inferior class of men could be obtained as special constables, and they would not devote a fair amount of time to their duty.

Mr. BARFF drew attention to the items throughout the estimates for Inspectors of Weights and Measures. In Westland, they had only one set of standard weights and measures. They formerly had an Inspector of Weights and Measures, but his services had been dispensed with, and the matter was now handed over to the police. He was able to say that, since the police had been inspectors, they had not paid one visit of inspection. He did not blame the police for that, for, as there was only one standard set of weights and measures, it was impossible for them to carry on the inspection properly. He would ask whether it was intended to provide additional standard sets, and to pay the expense of travelling about with them. The former Inspector had been compelled to give security to the extent of £500 for the safe custody of the standards.

Mr. WOOLCOCK said the services of the Inspector of Weights and Measures had been dispensed with in Westland. The result was that a considerable saving had been made, and the service was carried on in a very satisfactory manner.

Mr. BARFF repeated the statement that not one visit of inspection had been made.

Mr. GIBBS said, in Nelson, the law was that weights and measures should be stamped as correct, and the people had to take them to the Inspectors. He apprehended it was not intended that these officers should travel all round the country to make their inspection.

Sir R. DOUGLAS felt very much inclined to move that the amount for Auckland should be struck out. The Inspector did nothing at all. He was supposed to visit the out-districts, but he never did so.

Mr. ANDREW said there appeared to be great discrepancies between the amounts of salaries paid to the various Inspectors. In Auckland, the amount was £327 15s.; in Hawke's Bay, £5; in Canterbury, £200; in Otago, nothing; and in Wellington, nothing. In Wellington, the Inspector was appointed by the Provincial Council, and they had a very efficient officer; but no provision was made for him.

Mr. BOWEN pointed out that the Committee was considering the police estimates only, and the Wellington Inspector was not attached to the police. With regard to the remarks of the honorable member for Hokitika, he would have the matter inquired into, and the Government would see that the inspection was efficiently carried out. He must repeat that the Government had taken the provincial estimates for this year of departments taken over, having no other data to go upon.

Mr. MACFARLANE said he had never been able to find the Auckland Inspector of Weights and Measures.

Mr. SWANSON could very soon find the Inspector in Auckland. He had a very distinct opinion that the inspection of weights and measures should be conducted by the police, for in that case every policeman would be an inspector. It was a question of detecting crime, and should be in the hands of the police.

Mr. STAFFORD thought that the honorable member had given very practical advice. There were two matters connected with this question: first, the stamping of the weights and measures, and then seeing that those which had been stamped were properly used. The latter could only be done by the police, for it was impossible that one inspector could go about as a detective. There was no Act on the Statute Book so generally a complete deadletter as the Weights and Measures Act, simply because there was no machinery, excepting in a very few instances, to enforce it. It should be the duty of the police to see that people were not defrauded by the use of false weights and measures.

Mr. BAIGENT said steps were taken in Nelson some ten or eleven years ago to carry out a system of inspecting weights and measures. He then had a set of scales stamped, and nobody had ever been to look at them. That showed how the inspection was carried out, and the necessity for a better system, in order that every one might receive fair-play.

Item, Police Department, £39,462 12s. 9d., agreed to.

Gaols, £24,868 4s. 3d.

Mr. SHEEHAN would suggest that the item £600 for Inspector of Prisons should be abandoned. On the previous day, a vote upon this subject was passed by a majority of one; and he thought the Minister of Justice might take into consideration the strong feeling that existed against the appointment, and should leave it open until next session, when it could be considered in connection with the question of the central prison. He would move as an amendment, That the item be struck out.

Major ATKINSON said the Government con-

sidered this was a very important office. For himself, he thought it even more important now than when the central prison was determined upon. The Government thought it necessary to keep the vote on the estimates, but they would accept the decision of the Committee upon it.

Mr. BOWEN said he would not have put this item on the estimates if the Government had not thought it to be necessary; and, further, it was placed there in compliance with the orders of the Committee last year. If the House vacillated in such a manner as it appeared inclined to do now, it would be almost impossible to do any efficient work. He still said this appointment was necessary, in order to organize the prisons of the country; and as the Government would have to bow to the decision of the Committee, he warned them of the responsibility they would undertake if they refused to vote this item.

Mr. SHEEHAN said there was no distinction between this vote and any other vote in the estimates. The Government put them on, and the Committee of Supply struck them off if it chose.

Mr. ANDREW asked if this £600 was for the salary of this officer for the year or for only a part.

Mr. BOWEN.—For the whole year.

Mr. ANDREW.—Then it would be only necessary to vote for a part. The amount was either too much or too little. If a first-rate man was wanted from the Home country, he could not be obtained for such a salary; and, if it was only a practical man who was required, there was no necessity to go Home for him.

Mr. BARFF had given a vote on a previous occasion which might lead to the supposition that he was in favour of obtaining an Inspector of Prisons from Home. That was not the case. He voted as he did because the question had assumed the appearance of being an expression of opinion that a particular person from Dunedin should be appointed. His vote was given so that the hands of the Government should not be tied down; but he thought that very good men might be found in the colony from whom the choice might be made. He knew the officer in charge of the gaol at Hokitika was perfectly competent to fill the position.

Mr. BURNS wished to explain that, by the vote which he had given on a previous occasion, he had no intention of tying down the hands of the Government in any way. He mentioned the officer in Dunedin because he happened to know how good a man he was; but he had no doubt there were other men in New Zealand quite as well fitted for the appointment. All he wanted was that the Governor should select some person in New Zealand.

Question put, "That the item be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	19
					—
Majority for	...	...	...	...	13
					—

AYES.

Mr. Andrew,
Mr. Baigent,
Mr. J. C. Brown,
Mr. De Lautour,
Mr. Dignan,
Sir B. Douglas,
Mr. Fisher,
Sir G. Gray,
Mr. Hamlin,
Mr. Henry,
Mr. Hislop,
Mr. Joyce,
Mr. Kennedy,
Mr. Larnach,
Mr. Lumsden,
Mr. Lusk,
Mr. Montgomery,

Mr. Murray,
Mr. Nahe,
Mr. Rees,
Mr. Reid,
Mr. Rowe,
Mr. Swanson,
Mr. Taiaroa,
Mr. Takamoana,
Mr. Tawiti,
Mr. Thomson,
Mr. Tole,
Mr. Wakefield,
Mr. W. Wood.

Tellers.

Mr. Burns,
Mr. Sheehan.

NOES.

Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Gibbs,
Mr. Hursthouse,
Mr. Kelly,
Mr. G. McLean,
Mr. Murray-Aynsley,
Mr. Pyke,
Mr. Reynolds,

Mr. Richardson,
Mr. Rolleston,
Mr. Stafford,
Mr. Stevens,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Fitzroy,
Mr. Hunter.

The item was consequently struck out.

Mr. LUSK said he observed that the cost of gaols in different parts of the colony appeared to vary very much. They all seemed to be conducted on different principles. He would like to ask the Government if they themselves understood the principles on which the gaols were conducted.

Mr. BOWEN was understood to say that the Government did not understand the principles on which the gaols were conducted, as no uniform system prevailed.

Mr. SHEEHAN said, with reference to the Inspector of Prisons, that the Government felt some delicacy about sending Home a telegram cancelling the appointment. He hoped that they would not now hesitate about taking that course.

Mr. BOWEN replied that the Government would certainly not make the appointment now that the item was struck out; but he could not tell the House that the appointment was not already made.

Item, Gaols, as reduced, £24,268 4s. 3d., agreed to.

Lunatic Asylums, £14,814 12s. 8d.

Mr. BURNS moved, That the item "Inspector of Lunatic Asylums, £700," be struck out.

Mr. BOWEN said this officer was expected to arrive in the colony within a few days.

Mr. ROLLESTON hoped that the Committee would not strike out this item. There could be no better economy possible than the making of such an appointment. They had very deserving men in charge of the asylums at present, but they could not possibly be acquainted with the modern system of treatment.

Mr. J. C. BROWN moved, That progress be reported.

Mr. SHEEHAN maintained that the law, as it stood at present, provided ample machinery for the inspection of asylums. He was afraid that this Inspector would merely become a nucleus, and that a department would cluster around him in a few years' time. He thought that, in the present circumstances of the colony, this was not the time to go in for luxuries, and he thought this appointment was a luxury.

Major ATKINSON thought that the principal reason in favour of this vote was that it would tend to economy. He was sure the Inspector would save his salary a great many times over, by bringing the asylums under a uniform system.

Mr. BOWE believed that an Inspector of Lunatic Asylums was needed, and that the appointment would tend towards economy. But he must protest against the system of always sending to England for an officer whenever such an appointment was to be made. He thought the idea was preposterous, and on that account he voted in the way he did in the last division.

Mr. LUSK said, with regard to the remarks of the Premier, that he did not believe this officer who was coming out from England was likely to effect much economy. That gentleman would come out here imbued with the ideas he had acquired at Home, and it would cost a great deal of money to carry out these ideas.

Mr. PYKE was rather surprised at the remarks made by some honorable members who talked about the Inspector of Lunatic Asylums as a luxury. The gentlemen must be fitting themselves for a lunatic asylum. It was not right to use such language when dealing with a class towards whom the greatest tenderness should be exercised. Dr. Paley's report showed very strongly the necessity for the appointment of an Inspector of Lunatic Asylums. Those who read that report must know that unless the whole of the statements in it were untrue—and they had never yet been controverted—the unfortunate people confined in those asylums were not properly treated in New Zealand, but were treated with great cruelty. He did not say that there was intentional cruelty exercised towards them, but the arrangements made were not of such a nature as the laws of humanity would dictate. It was highly desirable that they should have an officer to inspect the lunatic asylums; and he hoped the House would not for a moment sanction the withdrawal of the vote. He thought they were carrying the colonial feeling too far, as he was certain there were men in England much better able to undertake the duties of this office than anybody they could obtain in the colony.

Mr. SHEEHAN said there was one phrase left in the political vocabulary which always had a good ring about it to his ears, that is, "self-reliant policy," which had been bequeathed to them by Mr. Weld; and he believed in it. He held that they had as good men in the colony as could be obtained outside of it, and he thought they should make a trial of somebody in the colony before importing a stranger. He denied altogether that he looked upon an Inspector of Lunatic Asylums as a luxury, and he would tell the

honorable member for Dunstan that on the contrary he could not think about the necessity which existed for such an office without feelings of pain. He contended that, as the law now stood, they had ample means for the inspection of their asylums for the next two or three years without importing anybody. He attached no importance to the report of the gentleman who had visited the colony for the purpose of making that report. The object of that gentleman in recommending the appointment of an Inspector of Lunatic Asylums might have been to get the position himself, or perhaps to get it for some of his friends. There were very fine asylums in Auckland, Canterbury, and Wellington, and in each of those provinces provision of the fairest possible kind had been made for their inspection. He objected to this matter on principle. He said distinctly that they were not in a position to create a new department. If they appointed an Inspector of Asylums they would soon have a large department with that official at its head. He hoped the Committee would agree to strike out the vote.

Mr. REID would vote for the striking out of this item. He did not believe that the importation of an Inspector of Lunatic Asylums from England would improve the management of the asylums. He believed they had men in the colony who were quite competent to improve the management of the asylums, if they had the means to do so. The Inspector of the Otago Asylum was, he believed, quite as competent to act as Inspector as any gentleman they could obtain from England. If they brought out such a man, they would have to pay him a large salary and travelling expenses, and all they would have in return for their money would be his presence and the expense. He thought that the money proposed to be voted for this officer's salary and expenses would be much better spent if it were divided amongst the various provinces, to provide for local inspection.

Mr. FITZROY understood the Hon. the Minister of Justice to say that an Inspector of Lunatic Asylums was already on his way out from England. He would like to know what compensation that gentleman would be entitled to if the vote were struck off.

Mr. BOWEN said he intended shortly to lay the correspondence on the subject on the table. It was a new thing to him to hear that it was desirable to do away with the medical inspection of lunatic asylums.

Mr. REES said honorable members did not wish to do away with the inspection of asylums. What they objected to was the system of continually sending to England for men to take these high positions. They had had a good deal of experience of imported men. They had seen men brought out from Home at large salaries and put into the various public offices over the heads of men who had been in the colony for many years; and it was generally found that they could not do their work nearly as well as the men who had small salaries. Did the Government expect to get a really good man for this position to come out from England for £700 a year? If they did

they were mistaken, for good men were too valuable at Home for that. There were men in the colony quite competent to fill the position, and, whatever compensation they might have to pay the gentleman who was now on his way from England, he hoped the Committee would throw the vote out. If they imported a man an affront would be put upon the medical men now in the colony, who could do the work as well as any man who could be found anywhere.

Mr. WASON thought that there should be some responsible person in charge of the lunatic asylums, but the Ministers were, properly, the responsible persons, and therefore he would suggest that the matter should be left in their hands.

Mr. J. O. BROWN thought this was a question not of suitability but of necessity. As far as the question of compensating the gentleman who was now on his way out from England was concerned, there need be no difficulty, because the necessary sum could be taken out of the £1,280 which, he observed, was put down for general contingencies.

Mr. HUNTER said that, as an honorable gentleman had referred to the possibility of post officers being imported, he might remind the House that such an officer had already been brought out, and that he had succeeded in making great improvements in the department.

Mr. ROLLESTON said the Government must do one of two things—either send men Home in order to gain experience in the management of these institutions, or bring men out from Home who already possessed that experience. His own opinion was that the appointment of a competent Inspector not only secured efficiency, but was also the surest way to insure economy. He should support the vote.

Mr. SHEEHAN said the best way to insure efficiency was to have inspectors on the spot; and, as to economy, the appointment of a travelling inspector would not secure economy in any way. He contended that they ought not to make the appointment. The honorable member for Taieri hit the right nail on the head when he said they were travelling too far for uniformity. Speaking of prisons, the standard set by the Dunedin Gaol had exercised a good effect throughout the colony, because the gaolers of other provinces had tried to work up to that standard. Rather than lead to economy, the appointment of this officer would lead to far greater expense.

Mr. BURNS was surprised to hear old colonists like the honorable member for Avon say that they should send out of the country for men to fill these positions. There were some honorable members who seemed to think that no good thing could come out of Nazareth. He had seen some officials that had been brought out from Home, and the plain fact was that over and over again the men already in the country had proved immensely superior to these new importations. He should oppose the vote.

Mr. SWANSON was astonished that none of the Auckland members had referred to a point honorable gentlemen had every right to refer to. It had been assumed that there was no medical man in the colony capable of managing these in-

stitutions, but the Province of Auckland tried to get the best man they could, and they got one, Dr. Aitken, as good a man as any that was likely to be brought out from England. But when they got the medical man, they wanted an Inspector, and the General Government provided that, although the province had to pay for it. And what did the Inspector do? He produced reports, but they were of no value. He (Mr. Swanson) did not care to interfere in these matters, but after a great deal of persuasion he was induced to go out to the Asylum, and he certainly found that a great many things were wanted, but not the things the Inspector recommended. In fact the best thing they could have done with him would have been to lock him up in the asylum. The General Government Inspector would be an expensive sham. What was wanted was strict local inspection—inspection on the spot.

Mr. FISHER said the Government had such a mania for inspectors, that the best thing they could do would be to send Home for a shipload of inspectors.

Mr. MONTGOMERY wished to know what this Inspector was to do. Was he to interfere with local inspection?

Mr. BOWEN said the local inspection would not be interfered with at all, and, as to travelling, the Inspector would be always travelling, and would make himself thoroughly familiar with the necessities of every locality.

Question put, "That the item 'Inspector of Lunatic Asylums, £700,' be omitted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	21
Majority for					6

AYES.

Mr. Baigent,
Mr. Barff,
Mr. J. C. Brown,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Hamlin,
Mr. Henry,
Mr. Hialop,
Mr. Larnach,
Mr. Lumsden,
Mr. Lusk,
Mr. Macfarlane,

Mr. Murray,
Mr. Nahe,
Mr. Rees,
Mr. Reid,
Mr. Swanson,
Mr. Taisroa,
Mr. Takamoana,
Mr. Tawiti,
Mr. Thomson,
Mr. Tole,
Mr. W. Wood.
Tellers.
Mr. Burns,
Mr. Sheehan.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Kennedy,
Mr. G. McLean,
Mr. Montgomery,

Mr. Murray-Aynsley,
Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Stafford,
Mr. Stevens,
Mr. Whitaker,
Mr. Woolcock.
Tellers.
Mr. Pyke,
Mr. Wason.

The item was consequently omitted.

Sir G. GREY moved, That the Chairman report progress, and ask leave to sit again.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	16
Noes	...	...	...	27

Majority against 11

AYES.

Mr. Baigent,	Mr. Henry,
Mr. Barff,	Mr. Nahe,
Mr. J. C. Brown,	Mr. Takamoana,
Mr. Burns,	Mr. Thomson,
Mr. De Lautour,	Mr. W. Wood.
Mr. Dignan,	
Mr. Fisher,	<i>Tellers.</i>
Sir G. Grey,	Mr. Rees,
Mr. Hamlin,	Mr. Toke.

NOES.

Major Atkinson,	Mr. Richardson,
Mr. Bowen,	Mr. Rolleston,
Mr. Fitzroy,	Mr. Rowe,
Mr. Hunter,	Mr. Stafford,
Mr. Hursthouse,	Mr. Stevens,
Mr. Kelly,	Mr. Swanson,
Mr. Kennedy,	Mr. Tairaro,
Mr. Lumsden,	Mr. Tawiti,
Mr. Lusk,	Mr. Wason,
Mr. Macfarlane,	Mr. Whitaker,
Mr. G. McLean,	Mr. Woolcock.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Murray,	Mr. Gibbs,
Mr. Murray-Aynsley,	Mr. Pyke.

Sir G. GREY moved, That the Chairman do leave the chair.

Question put, "That I do leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	11
Noes	...	...	...	31

Majority against 20

AYES.

Mr. Baigent,	Mr. Takamoana,
Mr. J. C. Brown,	Mr. Thomson,
Mr. De Lautour,	Mr. W. Wood.
Mr. Dignan,	<i>Tellers.</i>
Sir G. Grey,	Mr. Rees,
Mr. Nahe,	Mr. Toke.

NOES.

Major Atkinson,	Mr. Reid,
Mr. Barff,	Mr. Richardson,
Mr. Bowen,	Mr. Rolleston,
Mr. Burns,	Mr. Rowe,
Mr. Fisher,	Mr. Sheehan,
Mr. Fitzroy,	Mr. Stafford,
Mr. Gibbs,	Mr. Stevens,
Mr. Hunter,	Mr. Swanson,
Mr. Hursthouse,	Mr. Tairaro,
Mr. Lumsden,	Mr. Tawiti,
Mr. Lusk,	Mr. Wason,
Mr. G. McLean,	Mr. Whitaker,
Mr. Montgomery,	Mr. Woolcock.
Mr. Murray,	<i>Tellers.</i>
Mr. Murray-Aynsley,	Mr. Kelly,
Mr. Pyke,	Mr. Macfarlane.

Item, Lunatic Asylums, as reduced, £14,114 12s. 8d., agreed to.

Land Transfer Department, £9,790, agreed to.

Deeds Registry, £9,555, agreed to.

Progress reported, and leave given to sit again.

The House adjourned at thirty-five minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Monday, 16th October, 1876.

First Readings—Third Reading—Ohinemuri Agricultural Leases—Otago Railways—Public Works Bill—Animals Importation Prohibition Bill—Counties Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Ellesmere and Forsyth Reclamation Bill, the Napier Harbour Board Bill, the Castlepoint Harbour Board Bill, the Thames Harbour Board Bill, the Oamaru Harbour Board Bill, the River-ton Harbour Board Bill, the Bluff Harbour Board Bill, the Lyttelton Harbour Board Bill, the Timaru Harbour Board Bill, the Wanganui Har-bour Board Bill, the Hokitika Harbour Board Bill, the Patea Harbour Board Bill, the Waima-kariri Harbour Board Bill, the Moeraki Harbour Board Bill, the Wellington Harbour Board Bill, the Foxton Harbour Board Bill, the Otago Har-bour Board Bill, the Waitara Harbour Board Bill, the Kakanui Harbour Board Bill.

THIRD READING.

The Napier Borough Endowments Bill.

OHINEMURI AGRICULTURAL LEASES.

The Hon. Mr. NGATATA asked the Hon. Colonial Secretary, To what extent, if at all, the Ohinemuri Gold Field Agricultural Leases Vali-dation Act will affect lands owned by Natives (within the boundaries of the Ohinemuri Gold Gold Fields) who have not signed the deed of cession to the Government, part of which land has passed the Native Land Court, and for which the Natives hold certificates of title, and for other portions whereof applications for hearing have been sent in?

* The Hon. Dr. POLLEN said it was im-possible for him, without more particular know-ledge than he possessed, to give the honorable gentleman the information he would desire to give him. But he had caused inquiry to be made whether there were any Natives holding land under certificates of title within the block who had not signed the deed of cession; and he would take care, that if there were any cases of that kind, the necessary protection should be afforded to the Natives.

OTAGO RAILWAYS.

* The Hon. Mr. NURSE, in moving the motion standing in his name, said it would be in the recollection of the Council that some time since

he moved for a return on the same subject, but the Government were unable at that time to comply with his request. Subsequently, he laid on the table of the Council papers which disclosed such an extraordinary state of affairs between the contractors and the Government that he really thought an inquiry was called for. He would rather not go fully into the matter at present, because a great deal of what he would have to say would be merely based on hearsay evidence. He knew, however, that on one occasion he was in the town of Riverton when an assault case was heard in the Court there, when the men employed by the Municipality of Riverton and the contractors' men had come into collision; and though the men had been actually in custody, the whole affair was hushed up, and the Provincial Government paid the expenses. The contractors on several occasions set the provincial authorities boldly at defiance; and now the railways had been taken over in an unfinished state, and a very large sum of money paid for them. He had made this motion in the hope that the Government would take some steps to have the matter thoroughly investigated, and also that the railways would be proceeded with with as much despatch as possible.

Motion made, and question proposed, "That this Council is of opinion that the Government should cause inquiry to be made into the particulars connected with the contracts and partial construction of the railways in the western district of the Province of Otago—namely, from Riverton to Otautau, Wallace Town, and Orepuki; and that the report of the result of such inquiry be laid on the table at as early a date as possible."—*(Hon. Mr. Nurse.)*

* The Hon. Dr. POLLEN said the honorable gentleman would be aware that there were difficulties at present in the way of any direct action of the Government in the making of such an inquiry as he proposed. But as soon as it was possible to make that inquiry independently, it would certainly be made, and the result would be communicated to the Assembly at the earliest opportunity. At present it would be impossible, or almost impossible, to institute, without a great deal of trouble, the sort of inquiry which ought to be held into a subject of so much importance. He had no opposition to offer to the motion.

* The Hon. Mr. NURSE was fully aware of the difficulties in the way of an inquiry being held at the present time. He was also aware that in the course of a few weeks the whole thing would be in the hands of the Government, and his motion would refer to that time.

Motion agreed to.

PUBLIC WORKS BILL.

On the motion that this Bill be read a third time,

The Hon. the SPEAKER informed the Council that he was not in a position to put the question, the Bill, owing to the pressure of work, not being ready for the third reading. If the Hon. Mr. Menzies desired to proceed with the contingent amendment of which he had given notice,

to put himself in order he would have to move that the Order of the day be discharged.

The Hon. Mr. MENZIES said he desired to put on record the objects of a clause such as he had given notice of, in order, not that the matter might be decided now, but that it might become suggestive to honorable members upon a subject which was of the highest importance to many districts in the colony, and particularly in the south of the colony. What he wished to bring under the serious consideration of the Government was, that they ought not to grant perpetual water-rights, except under the authority of laws carefully considered; and he desired merely to indicate the nature of the laws which he thought ought to be enacted, and show that they were in conformity with the principles upon this particular question which had been established for a very long period in countries where the use of water was of the highest value. In Italy, water for irrigation was indispensable for carrying on operations. The ordinary cereals were cultivated by means of water on the plains of Lombardy and in different parts of the old kingdom of Italy. In the old provinces, they had enacted laws based upon sound principles for hundreds of years, and those laws had been codified upon traditionary usages which extended back for perhaps thousands of years. When he had indicated the nature of those laws he would have done all he sought to do, because then he would have placed on record what he believed to be the principles upon which legislation should be based upon a subject, which, though not so important to this colony as it had been elsewhere—as in Italy and in India—yet was of very great importance in some districts. Mr. Baird Smith, one of the best authors on the subject, pointed out how, in Lombardo-Venetia, the Germanic invasion introduced the feudal law, and altered the property in those matters, and that it was only at the Peace of Constance, in 1183, that the Italian towns of Lombardy recovered the rights they had previously possessed. Then the writer went on to say that, in the Lombardo-Venetian Kingdom, water-rights in perpetuity had been granted, and he pointed out how this acted injuriously. Various Italian States subsequently enacted laws on these subjects. A collection of the earliest of these laws—a list of which was found in the Ambrosian Library of Milan—was made in 1210 or 1212; but those laws were much earlier. They were in manuscript, and the manuscript still existed in that library, and they referred to old traditions and customs which had been known for many centuries before. He would conclude by moving, That the Order of the day for the third reading of the Bill be discharged.

The Hon. Captain FRASER said he would support the motion of the Hon. Mr. Menzies if it was to have no retrospective action; because at present the races on the gold fields were easements, and the Government could not interfere with them. But he thought it was quite proper that henceforth the Government should take care that, when they granted leases of races, certain conditions should be put in to prevent an easement taking place. He believed that in the

course of a very few years a large proportion of their country would have to be sold; and every part of the gold fields was reticulated with those easements; and he thought the Government, before they could sell the land, would really have to come to some understanding with the present holders of the races. He hoped that, if the Government took any action in the matter, it would not be retrospective action.

The Hon. Mr. STOKES said that, in view of the very important business awaiting discussion, he thought the honorable gentleman had thrown so much cold water on his own motion that the Council would have very little difficulty in discharging it.

The Hon. Colonel KENNY said he thought they had been drifting into very great irregularities of late, and now wished to call attention to the circumstance. Here there was a Government Bill on the Order Paper for third reading; but by a side-wind—by some alteration—it was to be discharged from the Order Paper by a private member. He took it upon himself to assert that that was not regular. Of course, the Hon. the Speaker had not ruled on the point; but it had been allowed to take place; and he ventured to assert that it was an irregularity which would be turned into a precedent on some future day. He did not know how the business of the Council was to go on if they were to adopt a different practice from that which had prevailed for the last twenty years. He never before heard of an instance of a long speech being delivered on the third reading of a Bill, the order for which was proposed to be discharged by a private member, for no end or purpose whatever. If it had been anything in reference to the Bill—its recommendation, or anything of the sort—he could have understood it. He did not hesitate to say that this was an irregularity which ought not to be permitted. The Government had allowed a Bill in their charge to be taken off the Order Paper without their sanction, or, at any rate, without their action.

* The Hon. Mr. HALL submitted that the last speaker was not altogether correct. If he understood the honorable gentleman, he said it was exceedingly irregular for a private member to interfere with a Government Bill. If the honorable gentleman meant it was unusual, perhaps he agreed with him; but if he went further, and said it was beyond the competency of any private member to do so, he submitted the honorable gentleman was in error. Any Bill before the Council, whether introduced by the Government or by any other member, was the property of the Council. It might be moved to be discharged by any member of the Council, or the second reading might be moved by any member. According to the Standing Orders, at any stage whatever, a Bill was no more the property of the Government than of any member of the Council. Therefore the Hon. Mr. Menzies, in moving that the order be discharged, was not transgressing the Standing Orders, as it was strictly competent for him or any other private member to do so. The Hon. Colonel Kenny said the Government allowed the matter to

be taken out of their hands. Now, he thought honorable members would recollect that the Hon. the Colonial Secretary suggested, as a matter of convenience, to give the Hon. Mr. Menzies an opportunity of making the remarks he was anxious to make, that that honorable gentleman should move the discharge of the Order. That was not only understood but expressed by the honorable gentleman. The arrangement, which was made to save the time of the Council, was quite within the Standing Orders; and he thought it would be a most disastrous ruling for any Speaker to lay down, that any Bill before the Council could not be interfered with by any member of the Council.

The Hon. Colonel KENNY wished to explain that he never used the words "out of order." He said it was unusual and irregular, and he never knew an instance of the kind before.

Motion agreed to, and Order of the day for the third reading of the Bill discharged.

ANIMALS IMPORTATION PROHIBITION BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it had already been introduced this session, and after having been read a second time it was discharged from the Order Paper, as it was found to be a Bill affecting trade and commerce, and ought therefore to have been introduced, in the usual and prescribed course, in another place. The Bill had since been introduced into the House of Representatives, where it had passed; and he thought it now came before them in exactly the same shape as when it was before them previously. It would not be necessary for him to say any more, as the Council then affirmed the necessity for making some provision for preventing the introduction into this colony of diseases in stock known to prevail to a considerable extent in the Australian colonies.

The Hon. Mr. ROBINSON had much pleasure in seconding the motion. He thought the Bill was a very desirable one. It was well known that a great many contagious and infectious diseases in stock were prevalent in various parts of the world. Very fortunately they had got all that they desired in the shape of good beasts of every description; and the importation of any stock they might obtain from elsewhere would not compensate for the injury which would result from the introduction into the country of a disease that would be productive of great damage to the stock.

Bill read a second time, considered in Committee, reported to the Council without amendment, and read a third time.

COUNTIES BILL.

This Bill was further considered in Committee. Clause 54.—Chairman to be elected by county electors.

The Hon. Mr. HALL moved, That the clause be struck out.

Question put, "That the words proposed to be left out stand part of the Bill;" upon which

a division was called for, with the following result :—

Ayes	...	...	...	...	11
Noes	...	...	...	...	15

Majority against 4

AYES.

Mr. Acland,	Lieut.-Colonel Kenny,
Mr. Bonar,	Mr. Lahmann,
Colonel Brett,	Mr. Mensies,
Captain Fraser,	Dr. Pollen,
Mr. Hart,	Mr. Russell.
Mr. G. R. Johnson,	

NOES.

Mr. Campbell,	Mr. Paterson,
Mr. Chamberlin,	Mr. Pharasyn,
Mr. Edwards,	Mr. Rhodes,
Mr. Hall,	Mr. Robinson,
Mr. Holmes,	Mr. Scotland,
Mr. J. Johnston,	Mr. Stokes,
Mr. Mantell,	Colonel Whitmore.
Mr. Nurse,	

The clause was consequently struck out.

Clause 60.—Salary of Chairman.

The Hon. Mr. STOKES moved, That the following words be added to the clause :—"Provided that no Chairman of a County Council shall be eligible to sit in the Legislative Council, or to be elected or to sit as a member of the House of Representatives."

Question put, "That the words of the amendment be added to the clause;" upon which a division was called for, with the following result :—

Ayes	...	...	...	...	19
Noes	...	...	...	...	9

Majority for 10

AYES.

Mr. Acland,	Lieut.-Colonel Kenny,
Colonel Brett,	Mr. Lahmann,
Mr. Campbell,	Mr. Mantell,
Mr. Chamberlin,	Mr. Nurse,
Mr. Edwards,	Mr. Pharasyn,
Dr. Grace,	Mr. Robinson,
Mr. Hall,	Mr. Scotland,
Mr. Hart,	Mr. Stokes,
Mr. Holmes,	Colonel Whitmore.
Mr. G. R. Johnson,	

NOES.

Captain Baillie,	Mr. Paterson,
Mr. Bonar,	Dr. Pollen,
Captain Fraser,	Sir J. L. C. Richardson,
Mr. J. Johnston,	Mr. Russell.
Mr. Mensies,	

The amendment was consequently agreed to.

Clause 146.—Special loans may be raised for special purposes.

The Hon. Colonel WHITMORE moved, That the clause be expunged.

Question put, "That the words proposed to be omitted do stand part of the Bill;" upon which a division was called for, with the following result :—

Ayes	...	...	...	...	19
Noes	...	...	...	...	15

Majority against 3

AYES.

Mr. Acland,	Mr. J. Johnston,
Mr. Bonar,	Mr. Lahmann,
Mr. Edwards,	Mr. Mensies,
Mr. Hall,	Dr. Pollen,
Mr. Hart,	Sir J. L. C. Richardson,
Mr. G. R. Johnson,	Mr. Scotland.

NOES.

Captain Baillie,	Mr. Nurse,
Colonel Brett,	Mr. Paterson,
Mr. Campbell,	Mr. Pharasyn,
Mr. Chamberlin,	Mr. Robinson,
Captain Fraser,	Mr. Russell,
Mr. Holmes,	Mr. Stokes,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Mantell,	

The amendment was consequently agreed to.
Progress was reported, and leave given to sit again.

The Council adjourned at thirty-five minutes past ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Monday, 16th October, 1878.

Ministerial Residences—Civil Servants' Private Practice—Lunatic Asylums—Agent-General and Loan Agents—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

MINISTERIAL RESIDENCES.

Mr. J. C. BROWN asked the Premier, if the Government are willing to sell the Ministerial residences; and, if not, if he will explain to the House why they do not consider it advisable so to dispose of them? His reason for putting this question to the Government was, to ascertain their intentions with regard to this matter. Three of the Ministerial residences, including repairs and additions that had been made from time to time, had already cost £17,200. The interest on that sum at 5 per cent. was £860, the insurance £170, wear and tear, say 5 per cent., £860, made a total of £1,890; and allowing £300 for keeping the grounds and fences in repair, the total charge to the country was at least £2,290 a year. The other four Ministers were allowed by Act as rent £150 a year, which amounted to £600. He thought the Government should give some intimation as to what their intentions were with regard to these residences. He was desirous that the information should be given now, for this reason: that the lease of one of the residences—that occupied by the Native Minister—was about to expire, and it was within the bounds of probability that the property would be

purchased at a very high sum. It was better that the whole lot should be sold, as they entailed a very large unnecessary annual expense upon the colony.

Major ATKINSON said the Government did not propose to sell these residences, as they supplied what appeared to the Government to be a very necessary want. Without going into the question of cost of these residences, he might say that they answered the purpose of giving facilities to the House to effect a change of Government when the House pleased. Consequently the Government were not prepared to advise the House to sell these properties.

CIVIL SERVANTS' PRIVATE PRACTICE.

Mr. LARNACH asked the Government, Whether they will lay before this House a return showing—(1.) The name of each officer (if any) in the Civil Service who is allowed private practice outside the duties of his office; (2.) the amount of salary any officer allowed private practice is receiving from the Government; (3.) the real or estimated value of any private practice to any officer per annum during the last three years? He had tabled this question for the purpose of ascertaining how many Civil servants were drawing salaries and at the same time practising their professions privately. If reports were true, the officers he referred to were highly paid by the colony for their services, and yet they were allowed to draw a large income from the public at the same time. This sort of thing was, he considered, unfair both to many of the Civil servants and to the outside public also. In his future action he would be guided by the reply he might receive from the Government.

Major ATKINSON said that some of the information which the honorable gentleman asked for could not be obtained by the Government, as they had not the means of obtaining it. The honorable gentleman would probably remember that a return had been laid on the table, on the motion of the honorable member for Bruce, which would give him the information he required.

Mr. LARNACH said that return only referred to Civil servants whose salaries did not exceed £200. He wanted to know the name of every officer in the Civil Service who had private practice.

Major ATKINSON thought that the honorable gentleman was referring to many gentlemen who, though in the employ of the Public Works Department, were not actually Civil servants.

Mr. LARNACH explained that his question referred to every person employed by the Government.

Major ATKINSON said the Government would furnish a return which would be an answer to the honorable gentleman's first question, but they could give him no information as to the second and third questions.

LUNATIC ASYLUMS.

On the question, That resolutions reported from the Committee of Supply be agreed to,

Sir G. GREY asked the Government whether

they would promise to provide increased funds for the maintenance of lunatic asylums in the Province of Auckland in the supplementary estimates. He was so completely exhausted on Friday night that he actually could not read the figures, and consequently could not bring the matter before the House, which refused to grant him any delay. He had now to point out that most inadequate provision was made for the maintenance of the lunatics in Auckland. Throughout Auckland, owing to the fact that that province had no Land Fund, there had been the most inadequate provision made for the gaols and lunatic asylums. There was a great difference between the population of Canterbury and that of Auckland. The latter had a very large European population and a very large Native population also, and it was in fact one-third larger than the population of Canterbury. In Auckland, the sum allowed for the maintenance of lunatics was only £4,508, while in Canterbury £8,250 was devoted to the purpose. He might draw attention to one item. In Auckland there was only £180 voted for medicines and medical comforts, while in Canterbury the sum of £300 was to be given for the same purpose. There were other inequalities which he would not trouble the House by pointing out, but he would simply ask the Government whether they would, in their supplementary estimates, make provision for increasing the expenditure on lunatic asylums in the Province of Auckland.

Major ATKINSON said the Government felt, in common with the honorable gentleman, that proper provision should be made for the care and keeping of the lunatics all over the colony; but they were placed at a very considerable disadvantage in the case of Auckland, because, when they inquired what provision would be necessary for the next year, they could obtain no information from the local authorities at all. They were therefore driven back upon the provincial estimates, and they accepted them, as they thought the honorable gentleman would have provided what was necessary for the maintenance of the Lunatic Asylum, as that Assembly had last year provided sufficient funds to carry on the government of Auckland—not in a lavish, but in an efficient way. If the honorable gentleman would communicate with the Government, and convince them that those estimates were not sufficient for the purposes required, the Government would be prepared to put down a further sum.

Sir G. GREY asked whether the Government would also do something towards putting the gaols in the Province of Auckland in a state of efficiency.

Major ATKINSON said the Government would certainly do so if the honorable gentleman would afford them information as to what was necessary.

Mr. SWANSON said the schools concerned him more than the gaols, and he would like to obtain an assurance from the Government that they would place the schools on a proper footing.

Major ATKINSON replied that the Government last year supplied all the money which they were told would be necessary for the purpose,

and they had provided the same amount this year.

Sir G. GREY reminded the honorable gentleman that Auckland had no Land Fund, and that nearly all its revenue was taken from it, and was placed in a position of absolute poverty, but out of its poverty it provided such sums as it could for the maintenance of its public institutions. He felt, however, that the members from the province would support him in saying that there was no proper school accommodation in the Province of Auckland, and that the children were placed in dilapidated, unhealthy buildings, which, compared with the school buildings of Canterbury and Otago, were a disgrace to civilization. If they were to be one colony and live under one Government, Auckland should be put in the same position as the other provinces. He would not have troubled the House at that moment had he been afforded a short delay on Friday night, when he was too exhausted to proceed further; and all he asked now was that in the matter of school accommodation justice should be done to the children of Auckland.

Major ATKINSON said the whole question of the schools had yet to be dealt with, and when it did come up the Government would see that full justice was done to all the schools throughout the colony.

Resolutions agreed to.

AGENT-GENERAL AND LOAN AGENTS.

On the motion for going into Committee of Supply.

Mr. MURRAY moved, That, as the colony should know on what footing it stands with regard to any loss that might arise through its Agent-General or Loan Agents, who, without securities of any kind, will be constantly in a position of large liability to this colony in respect of the custody of money and securities, and as the audit of the accounts is of an insufficient nature, this House is of opinion that, without implying anything against the honor of the Agent-General or any other gentleman who may be associated with him as Loan Agent, the Government is not justified in continuing to place such responsibility in the hands of any two gentlemen without having very substantial securities. He was indebted for the tenor of this motion to a Cabinet minute agreed to by Ministers on the 14th June last. In that minute was contained this passage:—

"The Government think it expedient to ascertain whether the Colonial Office desires that the Crown Agents should continue to manage the guaranteed loans. The Government would also ask the Colonial Office, in case it is desired that the Crown Agents should continue such management, if those gentlemen will be required to withdraw the letter, which the Government consider inconsistent with their employment. Further, the Government, in case the Secretary of State desires that the Crown Agents should continue to be employed, respectfully ask on what footing the colony stands with regard to any loss that might arise through such Agents. It has lately been stated to the Government that neither the Colonial Office

nor the Treasury holds itself responsible for the Crown Agents. If this be the case, the Government of New Zealand have to consider that the Crown Agents, without sureties of any kind, are constantly in a position of large liability to this colony, in respect of the custody of money and securities; and that the guarantee afforded by the periodical audit of the Agents' accounts is of an insufficient nature. Without implying anything against the honor of the present occupants of the office, the Government are of opinion that they are not justified in continuing to place such responsibilities in the hands of any two gentlemen who might hold the position without having either the guarantee of the Imperial Government or very substantial securities."

That was the resolution of the Government themselves; and he thought that anything of this nature would be equally applicable to any Loan Agents that might be appointed and to the Agent-General. There would be nothing invidious in the adoption of that course, as the Government had appointed a new Agent-General, and would be perfectly justified in taking proper security for the due administration of the large sums placed at his disposal. For his own part, he wished to imply nothing disrespectful to Sir Julius Vogel; he merely wished to see proper steps taken to secure the interests of the colony.

Major ATKINSON hoped the House would not agree to the resolution. To do so would necessitate a large expenditure, for which the colony would receive no commensurate advantage. The experience of a great many years showed that no loan had accrued, or was likely to accrue, from the fact that no security had been taken from the Loan Agents. It was, however, quite certain that if these gentlemen were called upon to furnish large securities, they would charge an additional amount on whatever duties they might undertake on behalf of the colony. Moreover, there was no necessity for calling upon them to provide securities, because they had not, nor, as a matter of fact, under the present law, would they have, any control whatever. When a loan was raised, the proceeds were placed in the bank to the credit of the colony, and were not paid into the hands of the Agents. That, he understood, would be the method of procedure with all future Loan Agents who might be appointed, and he should issue instructions accordingly. Then there is another point. The honorable gentleman wishes the House to understand that the audit in London is not sufficiently stringent.

Mr. MURRAY referred the honorable gentleman to the Executive Minute No. 11, passed on the 14th June, 1876 (B. 3, p. 8), which showed that he was himself of the same opinion.

Major ATKINSON said the honorable gentleman had as usual become enveloped in one of those mists which obscured his mental vision. The honorable gentleman referred to a statement which he (Major Atkinson) was very careful to alter by legislation last year. The audit, so far as he knew, was absolutely perfect, and had nothing to do with this matter, because the Auditor did not come into play until after the money was paid.

Mr. MURRAY said the honorable gentleman was evidently labouring under a mistake. The minute was stated to have been agreed to by the Executive on the 18th June last, and approved in Cabinet on the 14th June. The honorable gentleman surely had not seen this stated in his own Treasury memorandum?

Major ATKINSON said that did not apply to the matter under consideration. As he had already stated, all moneys raised on loan were paid into the Bank direct to the credit of the colony, and the only time any moneys were handed to these gentlemen was when they had manufactured the debentures. However, under the Loan Act now before the House the Government proposed to render it necessary that every cheque should be countersigned by the London Commissioner of Audit, or by an officer appointed by him.

Mr. MURRAY.—By a clerk.

Major ATKINSON.—By an officer appointed by him, so as to give additional security. The honorable gentleman was evidently thinking of the Crown Agents, and not the Loan Agents. Considerable sums of money did pass through the hands of the Crown Agents, and under the new arrangements they would have still larger sums placed in their care. The interest paid quarterly was handed over to these gentlemen, and was placed to a separate account at their bankers. The Loan Agents would have no power. They would merely have to sign the debentures, and the moment they were signed they would pass into the keeping of the Audit Officer, who would be responsible for their distribution amongst the purchasers. The honorable gentleman was evidently mistaken, and there was therefore no necessity for change. If the House passed the motion the colony would simply have to pay the Loan Agents an increased commission, and that would be its only effect.

Amendment negatived.

SUPPLY.

The House went into Committee of Supply.

CLASS III.—POSTAL AND TELEGRAPH.

Postal Department, £142,947.

Mr. WHITAKER said attention had been previously called to some slight increases to salaries in this department. He had made inquiry, and found that the Postal Department was more heavily worked than any other department in the colony, and, he thought, probably underpaid. From a return laid on the table it would seem that the receipts from the department in 1869-70 amounted to over £69,000, while in 1875-76 the receipts had been nearly doubled, amounting to over £80,000. Looking at the small salaries paid, and all the circumstances, he thought there was no increase proposed that was not justified. He would call attention to a number of items in this department for steam services, which might, he thought, be dispensed with, and thus effect a large saving. He referred to—Subsidy to Chatham Island Service, £150; Interprovincial Services, £1,750; Steam Service, West Coast, Middle Island, £4,000; Steam Ser-

vice, East Coast, North Island, £2,200; Steam Service, Wellington and Kaikoura, £400; Steam Service Subsidy for Blind Bay, £180; Steam Service to Fiji, £2,500. The Provincial Governments had paid a portion of some of these subsidies, but if the services were continued the whole expenses would fall on the colony.

Mr. BURNS said that if the Act which was passed in 1868 was still in force they might dispense with a great many of these local services. Of course it would be unwise to strike them out this year. Now that they had telegraphic communication to all parts of both islands, the delivery of the mails a day sooner or later did not signify much. He hoped the Postmaster-General would himself take the matter in hand. He considered the payment of these subsidies as a waste of money.

Mr. WHITAKER said that these items had been, as usual, put on the estimates in order that honorable members might express their opinion regarding them.

Mr. BURNS said they could dispense with the Fiji Service if the steam service arrangement agreed to by the House were carried out.

Mr. WHITAKER thought the first item "Interprovincial Services, £1,750," might be reduced by £1,300, the amount paid for carrying the mails between Nelson and the West Coast, as there was constant communication between these places. He could not take off the whole of the items at once, as contracts were running on which could not be broken, but if the Committee expressed the opinion that they should be taken off, he would have them reduced, and promise that no more contracts should be entered into.

Mr. HUNTER wished to explain that Mr. Edwards, the member of the Legislative Council, had nothing to do with the company which had the contract for conveying the mails between Nelson and the West Coast.

Sir R. DOUGLAS wished to know if the Government intended to cut off all communication by steamer between the small ports in the North of Auckland, and have the mails conveyed by cutters and other sailing vessels.

Mr. WHITAKER said that none of the services alluded to had reference to the North of Auckland.

Sir R. DOUGLAS said there was but one small subsidy paid to a steamer in Auckland, trading between Whangarei and Auckland. It sometimes took fourteen days to convey the mails between Auckland and that district—a longer time than was required to convey mails between Sydney and Auckland. If any reductions were to be made in these subsidies, they should be made all over the colony, and not in one part of it.

Mr. SHEEHAN observed that the item "Steam Service to Queensland" was left blank, although last year a sum of £5,000 was placed on the estimates for it. He would like to know what steps the Government had taken to carry out this service. If they had taken no action, he would like to know the reason.

Mr. WHITAKER said the correspondence on the subject had been moved for by the honorable

member for the Thames, and laid on the table. It rested with Queensland to take some action in the matter.

Mr. SHEEHAN believed it was never intended by the Government to carry out this service. The honorable member for Roslyn said the coastal services would be no longer necessary. That did not apply to the ports north of Auckland; and the Government would be acting unwisely if they did not subsidize the steam services in Auckland. Nothing had done more to develop the north of Auckland than the steam services during the last five or six years. It would be many years before they had good road communication in the north of Auckland, or railways. There was magnificent water carriage by harbours and tidal rivers, and it was upon the shores of those harbours and tidal rivers that settlement took place. These subsidies supplied the want caused by the absence of road communication; and if they were stopped, the effect would be very seriously felt by the districts to the north of Auckland. He would give most unqualified testimony to the fact that, but for the existence of these services, the work of settlement could not have been carried on in many places to the north of Auckland. He believed that as time went on these subsidies would not be required, and two or three services had already been made self-supporting. There were some that were not yet self-supporting, and required further encouragement. He hoped the Postmaster-General would see his way to putting £1,000 or £1,500 on the estimates for continuing such subsidies.

Mr. WHITAKER said the question did not arise on the estimates. In the supplementary estimates which would be brought down, all the services subsidized to the north of Auckland would be inserted, with the view to their being discussed in the House. He did not pledge himself either to support or to oppose them, and the House would be able to judge of the circumstances of each.

Mr. MACFARLANE thought that a reduction of £20,000 might be made under the head of Postal services, £10,000 on the San Francisco contract, and the remainder on the special services included in the estimates.

Mr. BARFF maintained that it would be very unfair indeed for the House to stop the subsidy to steamers carrying mails to the West Coast. If the House made any alteration, the reductions should be made general throughout the colony, so that every one should be treated alike. He did not see any necessity for striking off the item for subsidizing the steamers carrying the mails to the West Coast. The subsidy had been the means of inducing settlement on the West Coast, and, if stopped, the mails would not in future be received with any degree of regularity. The English mails *via* San Francisco would be detained at all sorts of places on the way from Auckland, and that service would become utterly useless to the West Coast. He did not know whether he should have another opportunity of voting on the San Francisco Service, but he would certainly oppose it if the West Coast would not receive any benefit from it.

Mr. KENNEDY agreed that if the subsidy were not continued, the residents on the West Coast would not derive any advantage from the San Francisco Service. A sum of £45,000 was put down for that service, and £8,000 for the Suez Mail, from neither of which would the West Coast residents receive any advantage whatever if the subsidy was stopped. If the House determined not to pay for any coastal services whatever, he would be satisfied to forego that to the West Coast. The other day, when the San Francisco Service was under consideration, it was suggested that the contractors should have the right to terminate their liability by delivering the mails at Auckland, and should not be called on to distribute them. If that suggestion were adopted with reference to the colony, a very large saving would be effected—in fact, four times the amount of the West Coast subsidy. It must be admitted that there were enough steamers trading from Auckland to carry the mails from there. He asked the attention of the Committee to this, that neither under the San Francisco nor Suez Service was any provision made for the West Coast, where there was a population of something like 30,000 people, and it was but fair that some consideration should be shown to them. If the Committee struck out the West Coast subsidy, he should consider it his duty to oppose all other similar items for coastal services.

Mr. CURTIS asked the Postmaster-General how it was proposed to deal with the following vote:—"Steam Service, West Coast, Middle Island, £4,000."

Mr. WHITAKER had already expressed his opinion that this service was unnecessary, and he proposed to strike it out. These services had been agreed to by the House from time to time, and therefore he thought it perfectly right to place them on the estimates, and thus give the House an opportunity to discuss them. He was of opinion that these services were unnecessary, and if the Committee held the same view they would be struck out.

Mr. REID said the effect these subsidized services had upon the commerce of the country should be remembered. They now had large shipments direct from England to various ports, portions of which were transhipped coastwise, greatly to the advantage of the commerce of the country. If these subsidies were struck off a great deal of trade would be again driven to Melbourne, for the great commercial defect of this country was the insufficient carrying trade. In Otago and Canterbury they grew wheat, which was exported to Melbourne, and was afterwards imported to the West Coast as flour. Would it not be better to continue these subsidies for a short time until there should be no necessity for them? Perhaps they might be reduced, for the services would gradually become self-supporting. They had rushed in hurriedly to grant these subsidies, and now it was proposed to abolish them. That would be like the action taken with reference to distillation. A large amount of revenue was forfeited in order to establish distilleries, and then a heavy sum was paid to get rid of that which the colony had fostered at a great cost.

Mr. GIBBS hoped the item, "Steam Service Subsidy for Blind Bay, £180," would not be struck out. A steamer subsidized was really the only regular means of communication between the district he represented and the world beyond. Some small sailing vessels traded, but would not be very useful for postal purposes. The subsidy had been paid for fourteen or fifteen years by the province, and had been gradually reduced, until it had reached what was considered a minimum. If they stopped the subsidy, it would be a very serious matter indeed for the district interested, the population in which was not now large, but, if they stopped the present means of communication, it would very seriously tend to prevent the number of residents from increasing.

Mr. HUNTER agreed very much with the remarks of the honorable member for Taieri, and he could speak as one having no interest in any of the steam companies. The Customs revenue of the colony had steadily increased for a considerable time, and he thought the trade opened up by the subsidized coastal services had contributed greatly to cause that. Very great care should be taken in interfering with these services, which tended to promote the settlement and occupation of the country in places where settlement would not have been carried on were it not for the subsidized steamers.

Mr. SHRIMSKI differed from the honorable member for Wellington City. Any one in business must find a market for his commodities, and those who were engaged in shipping must find places for their steamers to run to. He differed from the honorable member for Taieri also in thinking that it would drive trade to Melbourne, because merchants there would have to pay duty both in Victoria and New Zealand. It was the duty of the merchants of New Zealand to compete with the Melbourne merchants, and he had no doubt they would do so. He did not see why the colony should be put to the expense of subsidizing steamers to run to every little place the inhabitants of which asked for it.

Mr. WHITAKER moved that the item "Inter-provincial Services, £1,750," be reduced by £250. If that were agreed to, he would take it as an indication of the wish of the Committee that these services should be discontinued as soon as notice was given to the contractors. Four months of the year had already elapsed, so that it would not be possible to strike a large amount off the subsidies this year, as there were the liabilities the Government were under to the contractors.

Mr. BARFF would like to know what services were to be sacrificed.

Mr. WHITAKER said that, amongst others, there was a subsidy of £1,300 paid to Messrs. Edwards and Co., of Nelson, for steamers on the West Coast, which would be struck off.

Mr. BARFF thought, if that were going to be done, they might as well revert to the old plan of having a Government brig calling at the different places about once in three months or so.

Mr. STAFFORD said such an idea was absurd. There were about eighty steamers now running on the coasts of New Zealand, and the owners

of some of them would be very glad to carry on these services without subsidy.

Mr. KENNEDY would ask if the Government would be prepared to pay a subsidy to steamers for taking the Suez mail from Hokitika. There was £8,000 on the estimates for paying for a Suez Service from the Bluff, but that was not the slightest use to the West Coast. There ought to be an alternative service. He would point out that the £4,000 for this service was put on the estimates at the instigation of Mr. Macandrew, who alleged at the time that there was a large trade being carried on between Melbourne and the West Coast which could be diverted to New Zealand. The extent of the trade between Melbourne and that part of the colony amounted to upwards of £400,000 a year. He did not know how much of that had been diverted to Dunedin by means of this service, but he felt sure it was considerable. It was not only the West Coast, but all parts of the colony, that would suffer by the cessation of this subsidy. Under existing arrangements, steamers leaving Nelson were frequently detained three or four days at Nelson waiting for the mails, but if these subsidies were discontinued, it would be often found that the mails would not be delivered for eight or ten days after arrival at Nelson.

Mr. WHITAKER said it would be the duty of the Government to see that the mails were properly distributed to all parts of the colony. He believed that the steamers would run just as much without the subsidy as with it.

Mr. MURRAY asked if any reply had been received to the telegram sent to the Sydney Government on Saturday, with regard to the modification of the San Francisco Mail Service. If the £8,000 for the Suez Service was still retained, the cost of steam mail service in the colony would be £32,000 a year, instead of half that amount, as the honorable gentleman tried to make out on a previous occasion.

Mr. WHITAKER pointed out that the £8,000 was paid to the Melbourne Government for sending letters by way of Suez. As these letters were charged 6d. each for postage, the money was recouped. He had not received a reply from the Sydney Government or contractors. On Saturday morning he sent the resolutions passed by the Committee *in extenso* both to the Sydney Government and to the agents to the contractors, but had not yet received a reply.

Item, £1,750, reduced by £250.

Mr. WHITAKER moved, "That the item 'Steam Service, West Coast, Middle Island, £4,000,' be reduced by £100. This service must go on till June next, as the contract would not terminate before that date; and if this small reduction was agreed to, he would take it as an intimation that the service should be stopped as speedily as possible.

Mr. REID pointed out that the Committee would be placed in a very unfair position with regard to this vote. He believed the service could be carried on for a less amount, and would be ready to vote for a reduction, but not as an intimation that he wished to see the service stopped. It would be a great mistake to put a stop to this

service. He believed the Government could make arrangements, as soon as the present contract terminated, to reduce the subsidy, possibly by one-half, and certainly by a large amount, for it was a good service, and likely at an early date to be independent of all subsidy. It would be much better for the Government to take the whole vote, and then, at the expiration of the contract time, to get the service performed for as much less as possible.

Mr. BARFF took it for granted that this item referred to the subsidy to the steamer "Maori." If such were the case, it would be a most suicidal proceeding on the part of the Government to stop the subsidy. The Postmaster-General placed honorable members in a most unfair position by proposing so small a reduction as £100, and then saying he would take it as an intimation that the Committee desired the subsidy should be done away with altogether. This was a most useful service. The "Maori" made monthly trips to a number of places along the coast where other steamers did not go, and tended to promote settlement, because persons were ready to locate themselves in different places, feeling sure that they would be supplied with provisions; whereas if the steamer did not run, they would no longer have such an inducement to settle down there. This item was formerly placed on the estimate of Otago and Westland together.

Mr. WHITAKER explained that £2,500 was allowed for the service by the Provincial Government of Otago, and £1,500 by the colony.

Mr. BARFF said that Otago and the West Coast had equally derived advantage from the trade which had been established. He considered that it would be a very bad day indeed when the steamer "Maori" was taken off the line; and he believed that if such a thing happened, settlement would be greatly discouraged.

Mr. CURTIS said that the question for the Committee to consider was whether this service should be continued or not.

Mr. BARFF said that the steamer "Maori" was the only vessel which went past a certain point on the West Coast to the south. It went to places where no other vessels ever visited, and consequently as soon as it stopped running a number of persons would suffer from the want of provisions, &c.

Mr. LUMSDEN said that unless there were some means of communication with the commercial centres, special settlements on the coast must be a failure. It was desirable that a steamer should be subsidized, because sailing vessels could not be depended upon to call at the various small settlements. He would not support any motion for striking out the vote.

Mr. SHRIMSKI would move, That the item be reduced to £3,500.

Mr. WHITAKER explained that the contract was from last June to next June; and therefore the amount would have to be paid up to that time. His reason for moving that the sum be reduced by £100 was that the Committee might have an opportunity of expressing their opinion regarding it. If the Committee desired that the service should be stopped, they would

vote for the reduction of the amount by £100; and then the Government would get rid of the service as soon as possible. He would remind honorable members that those who voted for the reduction by £100 would, in reality, be voting for the discontinuance of the service as soon as it could be discontinued.

Mr. LARNACH hoped the vote would not be struck out. If it were struck out, the settlers in Martin's Bay would soon be reduced to a state of starvation, because they would be unable to get any provisions.

Mr. MURRAY was anxious to see all possible reductions made, but at the same time he did not wish to see this service done away with, as in his opinion the result of doing so would be disastrous.

Mr. JOYCE thought it would be a most injudicious thing to abolish this service. A great many people had been induced to settle on the west coast of the Middle Island under the belief that the steamer "Maori" would continue to bring them supplies. At the same time he believed the owners of the "Maori" might possibly be induced to do the work at a lower rate. He thought that during the recess the Government should consider in what direction the reductions should be made.

Mr. REID said that if the Government had wished to test this question, they could have brought down a resolution to say that at the expiration of the existing contract with the steamer "Maori" the service should be discontinued, or that after a certain day the subsidy should be reduced. They were told that if they voted for the reduction of the amount by £100, they would be voting for doing away with the service altogether. He would suggest that the Government should, six months before the expiration of the present contract with the "Maori," call for tenders for the continuation of the service for two or three years—the acceptance of the tenders being subject to a vote being obtained from the Assembly. He was not at all certain that the work could not be done for £1,000 a year.

Mr. LUSK understood that the Government wished the Committee to give an expression of opinion as to whether the service should be done away with or not. He was certainly prepared to vote with the Government whenever they saw their way to effect retrenchment, and therefore he would support them on this occasion.

Mr. J. C. BROWN considered the proposal of the Postmaster-General very reasonable. It was not intended to do away with the service altogether, but to reduce its cost.

Mr. MONTGOMERY hoped the question of fostering trade would not be mixed up with the postal service. The question of subsidizing a steamer to encourage trade should be discussed upon its merits; but as the Postmaster-General had said that a postal service might be maintained for a less sum, the House should support him.

Mr. BARFF wished to know why a dead-set should be made against the West Coast of the Middle Island. A reduction of £250 was made on the last item, which would materially interfere

with the service by way of Nelson. If reductions were to be made in services of this kind, they ought to extend to the whole of New Zealand. Within the last three or four days he had heard the people of the West Coast spoken of as "locusts," but it appeared to him that they were going to be treated worse than locusts. He remembered that, when he was a member of the Canterbury Provincial Council a great many years ago, they voted £1,000 as a subsidy for a small steamer that ran to Pigeon Bay, Akaroa, or somewhere about the peninsula, and yet the honorable member for Akaroa objected to a vote which would greatly increase the trade of the colony. If this service were discontinued, great injury would be done to the settlements south of Hokitika.

Mr. MANDERS said the visits of the "Maori" had been of very great service to the settlers at Martin's Bay, and had done a good deal toward encouraging settlement not only at that place, but at the various islands and other places of settlement. He had received a letter from a settler at Martin's Bay who spoke regretfully of the possibility of the stoppage of the "Maori's" visits. There had been a great deal of jealousy at Hokitika about the "Maori's" visits, as the merchants there thought it would interfere with their trade. He would have no objection to the vote being reduced by £100 if it were done upon the understanding that tenders should be called for with the view of getting the service at a reduced rate after June next. The service as a postal service was not of great value, but in other ways it was of great benefit.

Mr. KENNEDY hoped that the Postmaster-General would give an assurance that, in the event of the vote being reduced, the service should be continued. As to the value of the service, nothing that he could say would have such force as the remarks made by Mr. Macandrew, when the vote was first passed by the House in 1878. The honorable gentleman then showed very conclusively that the visits of the subsidized steamer would not only encourage trade, but would divert a great portion of that which found its way to Melbourne from the West Coast. The circumstances had not altered since that statement was made to the House; and it should not be forgotten that this was a matter which concerned the commercial interests of the whole colony, and not those of the West Coast only. Wellington, Lyttelton, Nelson, and Dunedin would all derive some advantage, and it was a short-sighted policy to oppose the vote. As a matter of fact, if the vote were struck off, the effect would be to stamp out the Jackson's Bay Settlement altogether. He would rather hear the Government say that they intended to spend no more money upon that settlement than to discontinue this vote; £12,000 or £15,000 had been spent upon the settlement, and £7,000 or £8,000 more had yet to be expended, with what advantage to the colony remained to be seen. He hoped the vote would not be struck out.

Mr. BURNS said the honorable member for Grey Valley was at last becoming alive to the effects of the Abolition policy. It was the un-

fortunate Province of Otago that started this service; and now that they were left to the tender mercies of the General Government, it was to be discontinued. In the words of the old proverb, he could only say, "Served them right!"

Mr. BARFF said the honorable member was altogether mistaken in the idea that the Province of Otago alone started the idea of establishing this service. It resulted partly from a consultation that took place between him and Mr. Macandrew many years ago, with reference to the importance of opening up communication between Otago and Westland.

Mr. WHITAKER said it was obvious there was a strong feeling against doing away with the service; but if the House would pass the items as they stood, the Government would reduce the cost of the service as much as possible between this and the next session. They would not accept any new contract after the expiration of the present one in June, so that the whole question could be brought under the consideration of the Assembly next year, unfettered by any engagements. The service would only be renewed to the extent of enabling Parliament to deal with it next session. If that was the wish of the House, he would take the vote upon that understanding. The vote already passed would be treated in the same way as the other votes. They would be reduced as much as possible, and the services would only be carried on until the meeting of the next session of the Assembly.

Mr. WASON understood that the House next session would be unfettered by any contract whatever.

Mr. WHITAKER said that no contract would be made beyond the time for the meeting of the next session of the Assembly.

Mr. REID suggested that in the meantime the Government might invite tenders, so as to be able to inform the House next session upon what terms the services could be continued.

Mr. Whitaker's amendment by leave withdrawn.

Mr. WHITAKER said that under the head "Conveyance of Inland Mails," there was an item, half cost of coach services between Napier and Taupo, and Taupo and Tauranga, amounting to £1,125. The contract having expired, tenders were called for. The lowest tender amounted to £3,600. He thought the amount altogether too large, and he did not accept it. In order to keep up the communication in this part of the country, he had arranged that the mails should be conveyed by the Constabulary on horseback at a comparatively small cost. It would be for the House to say whether the service should be continued in this way or carried out as before.

Mr. LUSK wished to know why the cost of conveyance of inland mails in Auckland was reduced to £4,000, and the cost in Otago increased to £8,250.

Mr. WHITAKER explained that in Otago the tenders were higher, and in Auckland they were lower.

Captain MORRIS said that, if the tenders sent in were ridiculously high, the Government were right in refusing them. He thought fresh ten-

ders might be called for, and, if the additional outlay was not much, the coach service might be continued as before.

Mr. STAFFORD said that, if the service were continued by coach, a number of people would travel to see the country, and an additional value would be given to the land which the Government possessed along the route. In that way, considerable benefit would be gained by retaining the coach service.

Mr. WHITAKER said it would no doubt be better to have the service carried on by coach. The Hot Springs were attracting a good many people. They went by steamer to Tauranga, for the purpose of taking the coach to Ohinemutu. If the tender for the coach service had been at all reasonable he would have accepted it, but as it was so very large he did not feel justified in doing so.

Mr. FITZBOY said the people would avoid going to that part of the country if they had to travel on horseback. The want of a coach service would be a great drawback to the settlement of that part of the country. Fresh tenders should be called for; and if they were within reasonable bounds, the coach service ought to be continued.

Mr. HENRY thought it would be well to obtain tenders for the service between Napier and Tauranga.

Mr. WHITAKER said the position of the matter was this: The sum of £1,125, placed on the estimates, was only half of the amount of the cost, the other half appearing in the vote for Hawke's Bay and Auckland. The amount required would thus be £2,250. The question was whether the Government should be left to get the best service they could for that amount.

Mr. OROMOND was informed in Napier by one of the parties tendering that the carrying out of the service twice a week increased the cost considerably. If carried on once a week by coach, the cost would be reduced by £1,500. It would be a great public convenience to have the coach service continued. It must also be remembered that it was desirable to keep up the service to go through the heart of the North Island, and which service carried people through districts which a few years ago were not visited by many Europeans. That was a point which the Postmaster-General should consider. He thought, if the honorable gentleman would accept the suggestion, and call for a service once a week instead of twice, the difficulty as to cost might be met. The cost of the service would not then be extravagant.

Mr. WHITAKER said, if the vote of £2,250 were passed, it would be the duty of the Government to get the best service they could within that amount. He thought such an expenditure quite sufficient for the service.

Item, as reduced to £142,697, agreed to.

Telegraph Department, £79,477.

Mr. WHITAKER said an impression had existed in the minds of some honorable members that a very great loss resulted from keeping many of the telegraph stations open, and he was glad to be able to say that was not the case. From the twelfth annual report of the department it

would be found that, of the 149 stations, there was a loss on 75 and a gain on 74; but the total loss on the 75 stations was only £7,952, while the total gain was £29,133 on the 74 stations. On looking over the return, the thought struck him that the losses were much heavier than they proved to be from a statement he had had prepared. He had gone carefully into the matter to see whether any reduction could be made, but he did not think it could be done. The whole statement was, he thought, a very satisfactory one, and the losses were very small. He would recommend the Committee to take the estimates for the department as they stood, for he did not think they could be reduced.

Mr. SHEEHAN was glad to hear such a satisfactory statement. He had been afraid to press claims for telegraph extension in the North, being under the impression that the losses were heavier. He contended that the telegraph had really made the North of Auckland a part of the colony, for, until the telegraph wire was extended there, it was unknown to the rest of the colony. The time would come when all the telegraph services would pay; and they should not consider too closely whether they would pay at first. The telegraph had not yet been extended to one important district, that of Kaipara. It was one of the largest timber districts in the colony. Many mills were working there; and it was not an uncommon thing to see six or more three-masted vessels in Kaipara Harbour at one time. Vessels traded to Kaipara from all the ports in the colony, and also from other colonies; and he was sure that, if they extended the wires to Wairoa, the revenue received from it would fully justify the expenditure in establishing it there. He hoped the Commissioner of Telegraphs would see his way to have an office opened at the Wairoa, and also at the Kaukapakapa.

Mr. REYNOLDS would point out that the expenditure on telegraphs had been £147,298 in the North Island, and £143,518 in the South. Last year the receipts in the North amounted to £20,638, and the expenditure to £26,739, while the receipts in the South were £37,233, and the expenditure £36,240, showing a loss of £6,000 in the North, and a gain of £2,000 in the Middle Island. The offices in Otago showed a profit. Under the circumstances, he trusted the Commissioner of Telegraphs would give his serious attention to the extension of the telegraph to Catlin's River.

Mr. MURRAY pointed out that, at the station at Opunaki, in Taranaki, the revenue was only £31 1s. 2d., while the expenditure was £223 13s. The estimated revenue from Catlin's River was £250, and the expenditure £400. These figures went to show that the latter line should be constructed.

Mr. SHEEHAN said it was not fair to compare the telegraph service in the North Island with that in the South, because many stations in the North were kept open for defence purposes only. Opunaki, which was in the middle of a disturbed district, was a case in point, and Taupo was another. It was of the utmost importance that these offices should be kept open, in order

that what the Natives were doing might be known.

Mr. GIBBS hoped the Commissioner of Telegraphs would be able to extend the wire to many new districts, and he trusted the district he represented would be one of those.

Mr. LARNACH wished to have an expression of opinion from the Commissioner of Telegraphs with reference to the construction of a line of telegraph to Catlin's River. The honorable member must be aware that settlement at Catlin's River was increasing very rapidly, and it was certain that the office would be remunerative almost immediately. He hoped the honorable member would give some promise that the station he referred to would be opened before the next session of Parliament.

Mr. WHITAKER said all the money which had been available for extending the telegraph had been expended, and he was now asked to agree to extensions when there was no money to carry them out. He would repeat what he had said on a former occasion: as soon as money was available, the extension to Catlin's River would be one of the first to be favourably considered. He was sure the honorable member for Dunedin did not wish to press him to say he would undertake a work the funds for which were not available.

Mr. LARNACH would be prepared to advance the money required for this work to the Government for one year, free of charge or interest.

Mr. FEARCE urged that it was very important to extend telegraph communication to Wairoa. He fancied that very few honorable members had an idea of the extent of the shipping trade to Kaipara. There were often ten or twelve vessels, many of them of large tonnage, and they were completely out of the world as far as telegraphic communication was concerned. A station there would be almost, if not entirely, self-supporting. He was satisfied that the owners of the mills and other establishments at Wairoa would give a guarantee against any loss in the working expenses. He asked both the Commissioner of Customs and his predecessor whether he had not assured them that this guarantee would be given; but the late Commissioner of Telegraphs had put him off from time to time, the excuse always amounting to this, that there was no money. His own view of the Telegraph Department was that unless the lines were extended the system would not pay, and he hoped that the Commissioner would be able to say that the line to Wairoa would be undertaken.

Mr. WHITAKER thought the districts of Catlin's River and Kaipara were very much alike, both being timber country and having many saw-mills. His honorable friend the member for Dunedin had said he would advance the money for the Catlin's River line, and he would ask the honorable member for Wellington (Mr. Pearce) whether the millowners could do the same for the Kaipara line.

Mr. W. WOOD had been glad to hear from the Commissioner of Telegraphs so satisfactory a statement as to the working of that department; and as that was the case, he thought any claim

which could be shown to be substantially good should receive favourable consideration. He hoped, after the liberal offer of the honorable member for Dunedin, the Catlin's River line would be undertaken.

Mr. WHITAKER was sure honorable members must know that it would give him far more pleasure to agree to the construction of the lines asked than to refuse them, if he could see his way to carry them out. He only declined to agree to them under circumstances of necessity.

Mr. SHEEHAN would like to disabuse the honorable member's mind with regard to the circumstances of the Wairoa River and Catlin's River being similar. He had himself seen nine square-rigged ships in the Wairoa River at a time—as many as were ever seen in the harbours of Wellington, Auckland, or Dunedin at one time. These vessels were carrying cargo not only to all parts of this colony, but to other colonies; and he felt sure that a line to Wairoa would be one of the most paying lines in the colony.

Item, £79,477, agreed to.

Subsidy payable to Eastern Extension, Australasia, and China Telegraph Company for Australian Cable, £5,000, agreed to.

CLASS V.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

Miscellaneous and Temporary Objects, £59,321.

Mr. LUSK called attention to the first item. "Stationery, including Printing Paper, &c., £12,500," and would like to know why there had been an increase of £7,500 in this item over the amount voted last year.

Major ATKINSON said that last year the vote was found to be altogether insufficient. It was also thought necessary to take a large amount this year on account of the necessity for taking over the provinces, and the extra work that would be thereby entailed.

Mr. BURNS would move that the item "Purchase of Steamer, £12,000," be struck out. It was high time that the House should retrench in this way; they had gone too far in this direction. If this vessel had been purchased to provide a yacht for certain individuals she was good enough for that purpose; but if she was to replace the "Luna," she was totally insufficient for that purpose. She could not go into places where the "Luna" could go. She was too expensive to be trusted in such places, and her working expenses would be too heavy. There was, he believed, another boat coming out shortly, and, as far as he could understand, she would be wanted for the present as a tender to the lighthouses. He would not however say anything about her at present; but certainly this "Hinemoa" was totally unfitted for any practical purposes, and the colony could not afford to keep her as a yacht. He understood that she had cost between £25,000 and £28,000; but he contended that it would be cheaper to sell her at once, even at a loss of several thousand pounds, than to keep her for any time. It would be much better for the Government to come down to the House and ask for a vote to cover the passages of their officers by the ordinary steamers, when they were sent on busi-

ness through the colony, than to keep up this expensive steamer. She was ordered at a time when it was supposed that the loans would last for ever, and when everything was in a most flourishing state. He had never been able to ascertain what she was ordered for, unless it was as a yacht; and if she was only wanted for that purpose, the colony could not afford to keep her. She ought to be sold at once; because having just come out from Home she would rank as a first-class vessel, whereas if she were altered in any way she would lose that class. If it was necessary to keep any steamer in the meantime until the "Stella" arrived, let the "Luna" be kept.

Mr. STEVENS thought the Select Committee to inquire into the expediency of selling this steamer, of which notice had been given, should be allowed to sit and report before the House came to any decision upon the subject. Would the Government consent to the appointment of that Committee?

Major ATKINSON said it would, no doubt, be more convenient to have the report of that Committee before any decision was arrived at. It must, however, be borne in mind that whether the steamer was sold or not she would have to be paid for, and therefore it was necessary to retain this vote on the estimates. He would suggest that the Committee should pass this vote, and then, if the House ordered the steamer to be sold, the Government would of course sell her.

Mr. STEVENS said his remarks were directed to those of the honorable member for Roslyn, who seemed to think that the steamer should be sold at once on account of her unfitness. He would like to call attention to the item "General Contingencies, £15,000." The amount was very large, and although, perhaps, not unnecessary, still the Committee ought to be informed as to the principal items.

Mr. BARFF would like to know who authorized the building of this steamer. The Committee had already passed a vote for the annual maintenance of the "Stella," so that could not be struck off; but they were now considering the purchase and maintenance of the "Hinemoa," and he would like to know the whole history of her purchase, and of what use she was likely to be. The Committee ought to be guided in this matter by the history of the past. So far as he was aware, the Government intended now to abandon the use of the "Luna," which, according to the morning newspaper, was to be laid up. According to the estimates, he had understood that the Government were going to sell her.

Mr. REYNOLDS said the Government would sell her when an opportunity occurred.

Mr. BARFF.—Just so; but he happened to remember the circumstances attending the proposed sale of the Government steamer "Sturt." The Government resolved to sell that steamer, and they did sell her; but she was not allowed a certificate, and the persons who bought her were almost ruined in consequence. He would like to know whether there was anything wrong with the "Luna" that stopped her from doing her work. He thought that, if there was nothing wrong with her, she might be kept to do the

work for some time to come. His opinion was that the "Hinemoa" was entirely unsuited for the New Zealand trade.

Major ATKINSON said his honorable friend had apparently prejudged the case. The House voted the money for the purchase of those steamers. One of them was designed for the New Zealand trade, and the other for the lighthouse service; and it was absolutely necessary that they should have a boat specially for the lighthouse service. For some time they were obliged to abandon the light on the Brothers, because they had no steamer, and could not get one to go there. There were no steamers in Wellington fit for that work, and, in fact, there were no steamers that would run the risk of doing lighthouse duty unless their owners were paid enormous sums. The House therefore resolved last year that a steamer should be purchased for the lighthouses alone, and he was sure that the cost would be saved many times over in the erection of the lighthouses they were now building. It was well known that the "Luna" was a very expensive boat to maintain, and she was also very old, and the Government believed it was absolutely necessary to get a steamer to take her place. The shipping companies' boats, being engaged in the regular trade, could not do the work which the Government required to be done, and it was therefore a question last year whether it was better to take money to repair the "Luna" or to buy a new steamer. The House approved that the "Luna" should be sold and a new steamer ordered; and consequently the "Hinemoa" was ordered. A good deal had been said about the expense of the "Hinemoa's" fittings; but if honorable gentlemen would only go on board that steamer, they would see that she was fitted up in the simplest form. She was capable of taking 150 tons of cargo; and he was quite satisfied that if the House ordered the boat to be sold there would be a great deal of public inconvenience, and a much larger expense would be incurred. In fact, they would be at the mercy of any company that was running boats regularly. As an instance of the exorbitant charges asked by shipping companies, he might mention that last year, when the Governor desired to go to Dunedin, and the "Luna" was not available, the New Zealand Company asked £700 simply to turn the "Phoebe" back in order to take His Excellency to Dunedin. He believed that the "Luna" had earned more than she had cost, and he would shortly be in a position to lay a return on the table to prove this. He thought honorable members would come to the conclusion, after considering all the circumstances, that the Government would do well to keep the "Hinemoa" and sell the "Luna."

Mr. BARFF, in regard to what had fallen from the Premier as to his having prejudged the case, said that when he spoke, he was altogether without information on the subject; but since he had heard the Premier's explanation, his views had become somewhat modified. He was quite satisfied with the assurance of the Government that the new boats would save money, and that the "Luna" would be sold.

Mr. REYNOLDS believed the "Hinemoa" would be able to do all the work the "Luna" had been in the habit of doing. The Premier had mentioned a case in which the New Zealand Steam Shipping Company had asked £700 for the use of one of their boats for a short time, and he remembered another case in which £300 had likewise been asked for the conveyance of two locomotives to Timaru, while the "Luna" coming to hand was made use of, and did the work at a cost of £100. He held that unless the Government had a boat of their own, they would be likely to be imposed upon.

Mr. BURNS said the Premier condemned himself out of his own mouth. That honorable gentleman said he wanted the steamer to go to places to which other vessels either would not or could not go. In his opinion, there was no use for the boat at all. The "Hinemoa" was a good enough boat as far as she went; but, as the Premier had said, she was fitted out in such a simple manner that he could not conceive how she could have cost so much money. He would say plainly that whoever ordered the boat never ordered her for the work she was to do. He submitted that the "Hinemoa" should be sold, and the "Luna" kept in use a little longer, until they could get a boat suitable for the work that had to be done. If the "Hinemoa" were not sold, she would be a white elephant.

Mr. SHEEHAN asked what work the boats would have to do.

Major ATKINSON said the "Stella" would do the lighthouse work, while the "Hinemoa" would do the work which the "Luna" had been doing.

Mr. BURNS said the "Hinemoa" could not do the work which the "Luna" had been doing, because she could not go into ports which the "Luna" had gone into. She could not go into Wanganui, for instance.

Mr. SHEEHAN said the "Luna" could enter Napier, Tauranga, Turangannui, and other ports along the coast, which the "Hinemoa" could not enter till her draught had been reduced a couple of feet. If a disturbance broke out on the East Coast, the "Hinemoa" could not enter the various ports; and he considered that a very strong argument against the employment of the boat. But, apart from that altogether, he considered that, with the immense number of boats that were running at present, and which were owned by companies, the Government should be able to get their work done.

Major ATKINSON, in answer to the question of the honorable member for Christchurch, said that £8,000 was taken under the head Contingencies last year, but only £6,000 was expended. There had, however, been a great amount of unexpected increases this year, which had to be included in the vote. Amongst the items were—Overtime, copying, £400; extra clerks in the Registrar's office, £438; newspaper charges, &c. It was necessary, too, to ask for a largely increased sum this year on account of the provincial changes.

Mr. SHEEHAN, speaking to the vote for the new steamers, said he considered the "Hinemoa"

utterly unsuited for the purposes for which she was required, principally on account of her immense draught of water. He wished to make no reflection upon Captain Fairchild or the officers of the "Luna." No one could find fault with them. As a solution of the difficulty, he would suggest that the whole question should be postponed till Thursday next, when the motions of the honorable member for Waitemata would come on.

Major ATKINSON said the steamer had been bought, and would have to be paid for. As to the discussion of the whole question, he would be happy to give every facility for doing so on Thursday. If the House should then decide that the steamer should be sold, the Government would of course carry out that decision.

Mr. BURNS's amendment by leave withdrawn.

Mr. MURRAY asked whether the item Contingencies included any part of the expenses of Sir Julius Vogel's mission to England?

Major ATKINSON replied that it did not.

Mr. LARNACH did not object to Wellington getting £300 for its Botanical Garden; but, unless similar votes were to be given to other parts of the colony, he should propose that it be struck out.

Mr. MURRAY said it was understood last year that the item should not appear on the estimates again.

Mr. ROLLESTON hoped the honorable member would state what he was going to do with regard to the other Botanical Gardens throughout the colony.

Mr. STEVENS trusted the Government would not allow the estimates to pass through without making provision for these Gardens in other provinces, which had been kept up at very great trouble and expense. The public domains should be kept in a proper and creditable condition.

Captain MORRIS hoped the item would be struck out, unless similar provision were made with regard to all the other public gardens.

Major ATKINSON said it would not be wise to strike out the item. Every year a great number of trees were distributed throughout the colony from the Wellington Botanic Garden, which was really of great service in that direction. The Government would take care that all the Gardens were maintained in a proper state until next session at any rate, when they would have had time fully to consider the matter. He had no hesitation, however, in saying that the Wellington Botanic Garden should be placed on the same footing as the others. As to the remark of the honorable member for Bruce, he did not remember that a promise was made last year that the vote should not appear on the estimates again. If such a promise had been given, he could give the honorable member his word that the item should not have appeared on the estimates; but he recollected nothing of the kind.

Mr. SHEEHAN said the argument advanced in favour of this vote was that the Gardens were a place where the members of the Assembly could escape from the variety of unpleasant smells in the city. He entirely objected to the

vote being passed on that ground; otherwise votes might be taken for many other things that would tend to promote the comfort of members. The local bodies should maintain the Gardens. He objected to Wellington coming in as a pensioner on the colony for the maintenance of these Gardens. It was shameful that a wealthy body like the Corporation of Wellington should beg for a paltry sum from the colony to keep up these Gardens. He trusted the item would be struck out.

Mr. SWANSON said that each session since 1871 the promise was made that if the vote was passed it would not be asked for in the following session. He would like to know what had been done with the £1,500 voted during the last five years. It certainly did not seem to have been expended in keeping the garden in anything like decent order. There did not seem to have been anything done to represent the expenditure of that money, or that would justify the House in voting another £300 for the same purpose.

Mr. BURNS thought the grounds were very well kept indeed. He would not like any imputation to be cast on the employés, as they really did their work well and carefully. There was a great deal of work done in the Gardens, but whether the colony should pay for it was another matter. He thought the House should allow this item to pass this session, until they learned what the Government intended to do with all the other Gardens throughout the colony.

Mr. LUMSDEN thought that, so far as these Gardens formed a nursery, they were a public good; but there were several Botanical Gardens in the colony in the same position. In Invercargill they had a public garden maintained by the Corporation, and, so far as he could judge, ten times more trees were planted there than in the Gardens at Wellington. He thought the Botanical Gardens in Wellington should be maintained by the Corporation.

Mr. MONTGOMERY thought this was an important matter. If this vote were passed, the other Gardens in the colony should be dealt with in the same manner. It was the duty and interest of the people in the various localities to maintain the public gardens. He trusted the item would be struck out.

Mr. SWANSON had made no reference to the employés in the Gardens. The Auckland Domain and Gardens were worth a dozen of the Wellington Gardens, and no subsidy was asked from the General Government to maintain them. A good deal had been said about the advantage of these Botanical Gardens to honorable members. Were the members of no advantage to Wellington? He thought they were put to a good deal of expense while here, and the people would be sorry if the Assembly met in any other place.

Mr. PYKE trusted the item would not be struck out, and that the Government would bring down a vote for other Gardens. In every civilized country there were botanical gardens, and to wipe them off would be an act of semi-barbarism. If the burden of maintaining these gardens was cast on the Corporation of Wellington, it would

follow, as a matter of course, that the land must be vested in the Corporation. Probably it would then be cut up for building sites. He should object to such a perversion of the object with which the land had been reserved. He did not think the honorable member for Dunedin (Mr. Larnach) would be prepared to hand over the Gardens in Dunedin to the Corporation. There had been more work done in the Wellington Gardens for the amount expended than in any other public gardens he had seen. Botanical gardens were the most useful institutions of the present day; and it would be a very sad day indeed when the nurseries of forest trees were wiped out of existence.

Mr. HUNTER did not intend to say a word in favour of or against the vote. He merely wished to state that Dr. Hector, Mr. Ludlam, Mr. Travers, Mr. Mantell, and others gave a great deal of their time and attention to the management and improvement of the Botanical Gardens, and they would no doubt be prepared to give a very satisfactory account of their stewardship.

Mr. WAKEFIELD said the Gardens in the other provinces were maintained by the Provincial Government. He thought these public gardens were among the most valuable institutions in the whole country. If the effect of the Abolition Act was to do away with these Gardens, it would be a great evil indeed. There should be no distinction between the Wellington Gardens and the Gardens in other parts of the colony. He would support this vote only on the understanding that the other Gardens would in future be maintained by the Colonial Government.

Mr. LARNAOCH would withdraw his amendment if the Government would give an assurance that they would place a sum on the supplementary estimates of equal amount for the maintenance of the public gardens in the other provinces.

Mr. ORMOND hoped the vote would not be struck out this year. It would take time to organize any plan for taking charge of the other Gardens in the colony. He thought the Botanical Gardens here should be supported by the people of Wellington, and it was saying very little for them in the past that they had not done so; but the arrangement for the management of the Gardens had something to do with it. He understood the management of the Gardens was kept in the hands of the Government, who appointed a Board of Managing Directors, composed of gentlemen residing in various parts of the colony. He understood, from conversations he had had with Wellington people, that if the Gardens were handed over, and the people became responsible for keeping up the Gardens, they would undertake their management in the same way as was done in other parts of the colony. If these Gardens were not kept up, honorable members would lose one of the most pleasant places of recreation they had in Wellington. He would ask the Committee to vote the amount this year, and he would ask the Government to see whether they could not hand over the management to the people of the place.

Mr. BRANDON said there seemed to be some misapprehension or very great ignorance with re-

gard to this piece of ground. It was originally laid out by the New Zealand Company as a reserve for botanical purposes. Subscriptions were obtained for fencing the ground, but, owing to differences between the missionaries, the New Zealand Company, and the General Government, no authority could be obtained for the control of the property. If the people of Wellington had got control of the Gardens, they would have attended to them properly. There seemed to be great jealousy of Wellington on behalf of some honorable members. It was thought desirable to make the place a colonial garden, and the land was at once given by the people of Wellington, and placed under the Public Domains Act. The Wellington people had always been desirous of keeping the Gardens in proper order, and he had no doubt that, if the ground were handed over to them again, they would do so. They did not desire to sponge upon colonial funds. It was the wish of the Government that these should be colonial Gardens, in order that trees might be raised there for distribution throughout the colony, and the land was given up by the Wellington people for that purpose without the slightest hesitation.

Mr. SHEEHAN had heard for the last five years the same plea, "Oh let the vote pass this year, and it will not come down again." These Gardens might have been handed over to the people of Wellington years ago, but they were wise in their generation and let the House pay for them. They would not bear comparison with the Auckland Gardens. The latter did not cost the colony or the province one shilling a year, and there was a balance to the credit of the trust account. There was no jealousy of Wellington, but honorable members wished to teach Wellington those principles of self-reliance which were about to be taught to the rest of the colony. Other places had to support their own Domains and Gardens, and he hoped this vote would be struck out. He hoped honorable members would not be deceived by the cry that if they passed the vote this year it would not be asked for again.

Mr. BOLLESTON hoped the House would not refuse the vote. There must be a garden in connection with the Colonial Museum and the Colonial Government—a garden for the propagation of plants and seeds obtained from other countries. These Gardens had been very largely used for that purpose, and other Gardens throughout the colony had been supplied from them. The necessity for such Gardens was recognized in "The Public Domains Act, 1862," under which Boards were appointed for their management. These Boards consisted of men who had a speciality in that direction, and could manage them far more efficiently than the municipal authorities would. He hoped the Committee would let the vote stand, if it was only as an experiment. There was no great principle involved in agreeing to it.

Mr. REES thought they would hear of this vote for years to come; and perhaps it would be better to put it down as a perpetual grant, and let the House know what it was doing. It was very desirable that Gardens of this kind should be supported, especially where usefulness as well as

pleasure was insured; but he objected to that being done at the expense of the colony.

Mr. WAKEFIELD said the honorable member for Wellington Country District stated that these Gardens had been taken out of the hands of the Wellington people, and made by the General Government against their will. That was not correct. Before the General Government took it over it was a waste, and a number of people lived upon it in shanties, who cut down trees and ferns for firewood and to make bridges. For years the General Government tried to get it enclosed, but they could not, because the Superintendent of the province, the late Dr. Featherston, insisted on having it kept as it then was—a mere wilderness. When the General Government got possession, they, with the assistance of Dr. Hector, managed to save what was left of the original bush. They undoubtedly secured a beautiful piece of land, and had done a great deal in the way of planting. He would not agree that it was a nursery for the rest of New Zealand; and seeds and trees obtained from other countries would have been distributed to the various Gardens in the colony if those in Wellington had not been in existence.

Mr. REYNOLDS trusted that the Government would not agree to maintain the Gardens throughout the colony, because, if they did so, every little town and village in the colony would be applying for a subsidy.

Major ATKINSON said he had looked up the records of last year, and could find no evidence of any such promise having been made as that alluded to. These Gardens were in a very peculiar position. By an Act of the General Assembly, the colony took possession of them, and handed them over to the charge of the Governors of the New Zealand Institute. They were not local gardens in any sense of the word, although about half of the revenues were derived from Corporation and other reserves. Considering the Act of last year, the Committee would not be justified in discontinuing the grant without giving the gentlemen who were in charge of the Gardens some notice. If it were true that a promise to stop the vote had been given so long ago, how was it that the House had repeatedly consented to it since? If he understood it to be the desire of the Committee that these Gardens should be handed over to local management like other Gardens, he would take that as a direction from the Committee, and would next session introduce an Act for that purpose.

Mr. REID said, if there was no other reason why all the Botanic Gardens should not be made a charge on the Consolidated Revenue, the prospect of the House discussing every year the merits and claims of the various Gardens all over the colony would be sufficient, to say nothing of the fresh applications that would be made by localities whose populations were increasing. The House should determine that these matters should be taken over by the respective districts. As to the fear of members not being able to use the Gardens if they were handed over to the Corporation, he presumed the authorities would always be glad to see visitors, and they might

even make a small charge for admittance, which would no doubt be readily paid by members. If nothing could be done this year towards handing the Gardens over to the local authorities absolutely, it would be sufficient perhaps to reduce the vote.

Mr. BARFF objected altogether to this vote, as he had done on previous occasions to a similar vote. He remembered this question being discussed even long before the honorable member for Rodney was a member of the House, and he had in a former Parliament protested against it, and told the House it would continue to be brought on under any circumstances. The honorable member for Avon said it was an experiment. If so, it was certainly a very expensive and a very protracted one. The sooner they got rid of this vote the better. The Premier said the fact that it had been brought on so many times showed that there was a strong case in its favour. He (Mr. Barff) drew a different inference. It was not a proof that the case was a strong one, but that the influence brought to bear upon the Government from a Wellington point of view was so strong that they could hardly stand against it. He hoped the honorable member for Wellington Country District would not attribute local jealousy to other members in this matter. If these Gardens were to be taken charge of by the General Government, and public money voted for them, that money should be distributed equally throughout the whole colony. There were districts in which there was not so much floating capital as in Wellington, where the money could be better expended. It was particularly unwise to make an exception of Wellington, and would lead to great dissatisfaction in many parts of the colony.

Mr. WAKEFIELD said the information just given by the Premier, to the effect that the Gardens had been placed under the charge of the New Zealand Institute by the Wellington Botanical Garden Act, changed the position of the question, and as that Act was in force he would feel bound to support the vote this year. But he hoped that next year the honorable gentleman would bring down a proposal either to make these really colonial Gardens of which they would be proud, or else to abolish the Act.

Mr. W. WOOD moved that the item be reduced by £200, so that the Government would be enabled to meet the necessary charges and salaries for this year. Wellington should provide its own gardens as well as other places.

Mr. J. C. BROWN would like some information regarding the vote, "Rent of Residences for Ministers, £650."

Major ATKINSON said the amount was made up of the rent of two houses at £120 and £150, and an allowance to two Ministers of £150 each.

Question put, "That the item, 'Wellington Botanical Garden, £300,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	26
Majority for	...	...	...	...	4

AYES.

Mr. Baigent,
Mr. Barff,
Mr. Button,
Mr. De Lautour,
Sir R. Douglas,
Mr. Fisher,
Mr. Hamlin,
Mr. Henry,
Mr. Hislop,
Mr. Joyce,
Mr. Kennedy,
Mr. Lumsden,
Mr. Lusk,
Mr. Montgomery,
Captain Morris,
Mr. Nahe,

Mr. Rees,
Mr. Rowe,
Mr. Sheehan,
Mr. Swanson,
Mr. Taiaroa,
Mr. Takamoana,
Mr. Tawiti,
Mr. Thomson,
Mr. Tole,
Mr. Williams,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Larnach,
Mr. Murray.

NOES.

Major Atkinson,
Mr. Bowen,
Mr. J. C. Brown,
Mr. Bryce,
Mr. Carrington,
Mr. Curtis,
Mr. Dignan,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Kelly,
Captain Kenny,
Mr. G. McLean,
Mr. Moorhouse,
Mr. Ormond,

Mr. Pearce,
Mr. Pyke,
Mr. Richardson,
Mr. Rolleston,
Mr. Seymour,
Mr. Sharp,
Mr. Stevens,
Mr. Wakefield,
Mr. Wason,
Mr. Whitaker.

Tellers.

Mr. Brandon,
Mr. Hunter.

The item was consequently struck out.

Mr. SWANSON would like to get some information about the item New Zealand University Postages and Telegrams, £100. He would move that it be struck out.

Major ATKINSON explained that hitherto the University had power to frank its letters and telegrams, but the Government had thought it desirable to take away that power. The University had, however, appropriated all its revenue for the present year before that determination was arrived at, and therefore it was necessary to put this sum on the estimates to meet the cost of postages and telegrams for the present year. It was a mere question of account, as the University would have to repay the charge.

Mr. SWANSON would like to know if the University had power under any Act to frank letters and telegrams, and if it was to be put a stop to at the end of the present year. It would perhaps be as well to reduce the amount by £10, as an intimation to the Government that the Committee wished it stopped.

Major ATKINSON said the University had possessed franking powers ever since it was in existence; but the Government thought it desirable to put a stop to it, and it would not be renewed after the present year.

Mr. FISHER drew attention to the item "Maintenance of Road, Hokitika to Malvern (in addition to tolls), £3,000." He would like to know if the Government still intended to keep up these tolls, which were found to be a very heavy burden upon the people using the road.

Mr. RICHARDSON said that the matter was

under consideration, and, if it was possible, they would reduce the tolls.

Mr. LUSK would like to know why this particular road was chosen, out of all the roads in the colony, to be subsidized in this way. He presumed it would be a road within a county, and he did not see why it should be maintained at the cost of the colony.

Mr. SHEEHAN wished to call attention to two other items which came before this one. One was "Reviser of Statutes." He noticed there was no sum put down on the estimates this year for that purpose, and he wanted to know whether the Government was going on with that work or not. It would be a pity to stop it, because the Statute Book was now in a most disgraceful state, and no work could be more useful than a revision of the Statutes. The other question was in regard to the item Philadelphia Exhibition, 1876. He would ask the Government whether they intended to make provision for the colony being represented at the Paris Exhibition. The display made by the colony at the exhibition in Philadelphia had been quite as good an advertisement to it as the establishment of the San Francisco Service. There were only two mistakes made with regard to it, one being that the matter was not taken up in time, and the other, that sufficient funds had not been devoted to it. Although the finances of the colony were in such a state that the greatest care should be taken of them, still any money spent in this direction would be well spent.

Major ATKINSON said that the matter was under the consideration of the Government, and he would let the House know in a few days what they proposed to do. He had ascertained that it would take £2,500 to make provision for the purpose, but the Government had not yet decided what they would do.

Sir R. DOUGLAS called attention to the item Sea-wall, Tauranga, £180. It had already been brought under the attention of the Government that many of the graves of those who fell in the Maori wars were in a very bad state. He would ask whether this £180 was to be spent solely on the cemetery at Tauranga, and, if so, whether the Government intended to put something on the supplementary estimates for other cemeteries.

Mr. RICHARDSON replied that this vote was intended solely to repair the sea-wall at Tauranga. It was the balance of the sum that had to be expended on this work, the whole cost of which would be between £600 and £700.

Sir R. DOUGLAS would like to know if it was the intention of the Government to do anything for the graves of other men who fell in fighting for the country. A brother officer of his own had spent money in keeping the graves of those who fell at Taranaki in repair, but the colony ought certainly to take the matter in hand.

Mr. REES said, when he was at Tauranga some time ago, he saw that part of the graveyard had been washed away by the sea, and that men were at work repairing the sea-wall. The Government ought also to keep the graveyards themselves in order, for the fences were tumbling down; and it was too much to ask the

friends of those who had fallen to keep these places in repair; besides many of these friends were no longer in the colony. The Government ought really to do something in this direction.

Mr. SHEEHAN would like a reply to his question with regard to the revision of the Statutes.

Mr. BOWEN said the Government did not intend to lose sight of the question. At present there was a very careful index of the Statutes being prepared in the Law Office, and the legislation of the present session would be incorporated in it. The Attorney-General and the Law Officers would take the whole matter into consideration during the recess, and probably the Government would next year be prepared to make some suggestion with regard to the revision of the Statutes.

Mr. BURNS wanted some information with regard to the item of £325 for the introduction of salmon. Would the honorable gentleman in charge of the estimates tell the Committee what had been done in this matter?

Major ATKINSON said that last year a sum of £500 was taken to assist the acclimatization societies of the colony, and this was the balance of the liabilities owing upon that vote.

Mr. W. WOOD asked if it was the intention of the Government to make any effort this season to introduce salmon. If so, it was quite time to begin, or it would be too late. The Government had now taken over the fish-ponds in Southland, and with them the Curator. That officer's salary was accruing, and he did not see any provision for it on the estimates. The Otago Provincial Government had hitherto contributed £500 a year for this purpose, which of course would now cease.

Major ATKINSON, in reply to the honorable member for Mataura, said that the Curator of Fish-ponds in Southland was a provincial officer.

Mr. W. WOOD said the Curator never was a provincial officer, but the officer of the Acclimatization Society, which society had agreed to hand over to the General Government all their fish-ponds, the Government agreeing to take over certain liabilities as well as the Curator.

Major ATKINSON said that was an arrangement of which he knew nothing.

Mr. LUSK would like to know why the road from Hokitika to Malvern should be maintained by the colony.

Mr. RICHARDSON said it was a road over which the mails passed.

Mr. W. WOOD said that he understood the honorable gentleman to say that the road was to be maintained by the colony because mails passed over it. There were a number of roads in Otago over which the mail passed, and they were not maintained by the colony. He would like to know what county this favoured road was in, in order that he might get the roads in his county to come in for some colonial support.

Mr. SWANSON said this road ran between Canterbury and Hokitika. It was rather mountainous country, and the Province of Westland was bound to keep up the road between them; and, failing that, the General Government were

to do the work, and charge the cost to the respective provinces. Then a flood came and swept away the road. He supposed that the money named in the estimates must be the amount required for repairing the road. He did not see why this road should be kept in repair by the General Government any more than any other.

Mr. BUTTON said the road was constructed by the Province of Canterbury at an enormous expense, and the worst part of it was on the Westland side. It was made a condition, when the County of Westland Act was passed, that the County of Westland should keep it in repair; but the expense of keeping it in repair would simply mean ruin to the county. If the County of Westland were to be compelled to take over this road, they would rather shut it up altogether. The road connected the East and West Coasts of the Middle Island, and therefore it was a work of some colonial importance. Unless the road were maintained by the General Government, the probability was that it would be shut up altogether. The tolls, even if they were doubled, would not suffice to keep the road in proper order.

Mr. SHEEHAN said he was sure that, if Westland did not wish to keep up the road, the colony did not. Canterbury was rolling in wealth, and he did not see why it should not maintain the road.

Mr. ROLLESTON said the mails of the colony were frequently carried over this road.

Mr. KOWE said that some honorable gentleman seemed to imagine that this road should be maintained by the Government because the mails of the colony were carried over it. There were roads in his district over which mails were carried, but they were not maintained by the General Government. If they desired to carry out the principle that because mails happened to be carried over a particular road that road should be maintained by the Colonial Government, they should carry it out all over the colony.

Mr. REYNOLDS said that he remembered when this road was made, and he considered it a great piece of injustice when it was foisted on the Province of Westland. He thought that the House would be perfectly justified in declaring that this road should be maintained out of the Land Fund of the Province of Canterbury. Canterbury reaped the benefit of the road, as it supplied the whole of the West Coast with cattle. He did not think it would be too much for the Superintendent of Canterbury to get up and say that his province would keep the road in repair. When he had asked the colony to make a road from Queenstown to Martin's Bay, at a cost of about £800, he had been refused; and as he did not think that any part of the colony should be treated exceptionally, he would support any honorable gentleman who proposed to strike this item out.

Mr. SHRIMSKI said that a road in his district also wanted repairing, and he thought he would be wanting in his duty if he did not ask the Government to do it. He knew that he would not get the money for this road; and as he did not think one district should be treated in a different

manner from another, he would move that this vote be struck out.

Mr. BUTTON said more than half the road was really in Canterbury, and he thought that, if there were such things as colonial works at all, this should be one of them. This was a road which cost £160,000; and if it were allowed to fall into a state of disrepair, the colony would suffer material loss. For want of timely management, a very large proportion of the road would be swept away; and he would only say that, if there was any work which could be called a colonial work, this was one.

Mr. ROLLESTON said that to strike out the vote would be tantamount to saying that under no circumstances were there roads which the colony would recognize as colonial works. It was hard that Westland should have to maintain that portion of the road included within its boundaries, and it was in recognition of that fact that the Minister for Public Works last year strongly advocated the taking of £20,000, which naturally accrued to the Province of Canterbury, to be spent on the Westland part of the road. In a case of this kind, where a road benefited not only Westland and Canterbury, but other provinces also, there was a fair claim on the colony. The mails for Otago were frequently carried over this road.

Mr. DE LAUTOUR thought the honorable member for Avon would have a difficult task to prove that the occasional carrying of the Otago mails, and their delivery a day sooner than by the sea route, was worth £6,000 a year of the colonial money. He should certainly support the amendment for striking out the vote. He should like to know whether the £160,000 set down as the cost of the road was charged against the provincial liabilities, because, if it was not, it ought to be.

Mr. RICHARDSON replied that a very large proportion of it was.

Mr. MONTGOMERY said that had not the House passed some steam service votes which were absolutely indefensible, he should not have voted for this item. Those votes were passed on the ground that they afforded facility for traffic, and on that ground he should support this vote.

Mr. ROLLESTON thought that, if there was one thing the House ought to keep in view, it was that of affording facilities for opening up new gold fields, and the conveyance of supplies to those already opened up. An extensive gold-bearing area had only recently been opened up at the Westland end of the road, and it would be a most short-sighted step to cut off the means of keeping this road in a proper state of repair.

Mr. REES said there was no analogy whatever between the cases cited by the honorable member for Akaroa. In the cases of the steam services there were no county boundary lines over which the steamers passed, and that was a material difference. As to the Government furnishing £6,000 a year to keep the road in repair, he would like to hear some reasons why this particular case should be singled out. If there was any force in the argument of the honorable member for Avon, that facilities should be given for the opening up

of new rushes, or conveying supplies to existing diggings, the colony ought to open up and maintain roads between the Thames and Ohinemuri, and between the Thames and Coromandel. There was no reason whatever, to his mind, why the rest of the colony should be taxed to maintain this particular road, and he should oppose the vote. If such a principle were adopted now, it ought to be applied in every other case. He hoped no member of the House would support a proposition to expend the funds of the colony on behalf of any favoured district. If it would not pay Canterbury and Westland to keep up the road, it would not pay the colony to do it.

Mr. BOLLESTON said the discussion on this vote suggested one of the evil results of abolition, as honorable members were not acquainted with the peculiar circumstances of the case. This main road connected two parts of the country widely separated, and the people in the intermediate places did not benefit by it. Under the County system, the maintenance of this road would fall unjustly on portions of the country which did not benefit nearly so much as others.

Mr. SHEEHAN said the honorable member for Avon was quite right in saying that this vote was one of the first illustrations of the evil results of abolition. It was evident that the proposals of the Government would not prove satisfactory. They had overlooked the sparsely settled districts, the roads in which could not be kept up by the local bodies, no matter how largely they were subsidized. He would ask, was there not a compact by Statute that Canterbury and Westland should keep up this road between them? Canterbury was rolling in wealth, and the attempt to smuggle through this vote of £3,000 out of the funds of the colony, as against the poorer provinces, was highly reprehensible. That province was so wealthy that it could take up the colonial loans, and yet the General Government was asked to maintain this road. That was unworthy of the great Province of Canterbury, and not worthy of the broad views taken by her public men, and notably by the honorable member for Avon.

Mr. FITZROY said the House had passed a vote for the conveyance of the mails from Hokitika to Canterbury, and he did not see how the mails could be conveyed if this main road were not maintained.

Mr. BARFF said this road could not be compared with any other road in the colony. It connected the eastern and western shores of the Middle Island, and had been constructed at an immense cost. It would not be right to throw a burden upon one particular district which it could not bear. The greater portion of the road was in the County of Westland, and every portion of it had been expensively made. He had just received a telegram from a gentleman who travelled frequently from Christchurch to Hokitika, asking if it was not possible to get a bridge made over the Taipo. It would be manifestly unfair to put the cost of maintaining this road on the Province of Canterbury. The House would be entirely justified in making this a special case. The mails passed over this road,

and there was a very considerable passenger traffic upon it.

Mr. GIBBS said there was no doubt that this was not the only road that would have to be dealt with specially by the colony. This road had been made for the benefit of the stockowners in Canterbury, to enable them to supply the West Coast with stock. The Province of Nelson had made an equally important road from the Amuri to the West Coast, by which stock was driven from the East to the West Coast. He failed to see why the one road should be made at the expense of the colony and not the other. The proposal put him in mind of a vote passed a few evenings since to subsidize a steamer to enable the merchants of Otago to compete with Nelson traders, who had previously conducted the trade by their local steamers without subsidy; and now they proposed to subsidize a road to enable the stockowners of Canterbury to compete with those of Nelson. He would not oppose this vote, because he believed, under the present circumstances of the Kumara rush, it was necessary; but he would not be prepared to support a similar vote next session.

Mr. SHRIMSKI could not see why this road should be subsidized when the Government refused grants to others. He had lately applied to the Government for a sum of £600 which a Road Board in North Otago required in aid of the cost of constructing a road rendered necessary in consequence of a main road having been rendered useless by the construction of a railway close to it. His request had been refused, and he did not see why the large sum of £3,000 should be given for the Hokitika road.

Mr. REES would point out that Canterbury had made this road before Westland was separated, and he would like to know why Canterbury should get rid of its liabilities in this way. If Westland was not able to pay, Canterbury ought to pay, and the cost should not be thrown upon the colony. The road was kept up for the benefit of Canterbury as well as of Westland, and if one could not pay the cost the other ought; and there was no part of the colony so well able to pay as Canterbury.

Mr. REYNOLDS would vote against the item, and would suggest that this road should be dealt with under the 4th clause of the Financial Arrangements Bill. He was of opinion that Westland had been very badly treated, both by Canterbury and by the House.

Mr. WASON said this was a provincial road, and he would ask, To what part of the province did honorable members propose that it should be charged? He thought a great deal of the present discussion would have come better upon the proposed vote of £75,000 as subsidies to Municipalities and Road Boards; for he thought that was a far more objectionable feature than the vote under consideration. Some honorable members seemed to think that the County of Courtenay would benefit by the road, but that was not the fact. The vote would be applied to the repair of the road from Westland to Malvern, and Malvern happened to be the point in Canterbury where civilization ended and the unin-

habited rugged mountainous country began. Only three pastoral tenants would be benefited by this portion of the road, and he did not think that they would pay for its maintenance. He believed the General Government intended to take over some other roads; at all events, they were going to spend £8,000 on roads north of Auckland. He would be glad to support the Ministry in striking out all subsidies for roads, no matter where they were. He hoped the Committee would not be led away by the rash conclusion that, because Canterbury assisted to make this road when Westland was a part of that province, therefore Canterbury must keep it in repair after Westland was separated from it. Canterbury had not wished to get rid of Westland, but Westland desired to get rid of Canterbury; and when they separated it was agreed that the cost of maintaining the road should be shared between them. If they charged a part of this expense on Westland, it would not be paid, because there was a deficiency in the land revenue in Westland, and the money must come out of the colonial revenue.

Major ATKINSON said Canterbury had not been fairly treated in this matter, for the money was not spent in Canterbury at all. The vote was purely in aid of Westland, and that province was not able to carry on its works without assistance from the House. Last year, the House voted a considerable sum, and this year they would have to vote a further considerable sum in aid of Westland. The Government thought it more desirable to charge this amount upon the Consolidated Fund, than to charge it nominally on Westland. The vote was taken out of the estimates of Westland. The position of the affair was this:—The money would have to be paid out of Consolidated Revenue or out of Treasury bills, and the Committee therefore could take what action it thought right in the matter. The road was in a different position from any others in the colony. The Government had a mail contract on the road; and they thought that, while changes were pending, it would be better to include the vote for the maintenance of the road on the estimates, as they had done, than to issue Treasury bills for the amount. The Government were bound to maintain the road. If the province did not keep it in repair the Government could repair it and charge the two provinces; but Westland had not the funds to pay its share.

Mr. BURNS thought the road from Wakatipu to Dunedin ought to be kept up in the same way. To say that the road from Hokitika to Malvern was kept up for the purpose of bringing the Suez mail from Westland, was a perfect absurdity; because he remembered that on one occasion the steamer landed the mail at Hokitika, to be sent overland, and the same steamer actually took the mail on board again at Lyttelton, and carried it to Port Chalmers. He thought it was time that such a thing as giving this vote should be put a stop to; and if the country was to go in for abolition, let Canterbury and Westland have the full benefit of it. He hoped the Committee would reject the vote.

Mr. BUTTON said that, if this road had not

been forced upon the County of Westland years ago by an Act of the Assembly, it would have been allowed to fall into a state of disrepair. If members knew the expense which devolved upon Westland on account of this road, and the limited revenue it had to meet the charge, it would not be surprised at its objecting to bear the cost. The road in Canterbury was a long level country, and was easily kept in order; but as soon as the boundary line was passed, there was nothing but gorges, precipices, and rapid rivers, which rendered the maintenance of the road very difficult and expensive. Were there no such things as colonial works? What were railways? If the House would grant them a railway, they would be glad to give up the road. When the Government made a railway, it was regarded as a colonial work; but in a part of the country where there were no railways, when it was proposed to make a road, it was at once stated that it was not a colonial work.

Mr. LUSK said there were other roads costing the colony a great deal of money. There was a road made in the North of Auckland, which, if finished, would be very expensive; and though that road ran from north to south through a large and important district, he saw no prospect of the House regarding it as a great colonial work, and undertaking on the part of the colony to keep it in order. On the contrary, they looked to the people of the district to maintain it, and although the country was sparsely populated, and of a difficult nature, rendering the maintenance of the road expensive, the people would be glad to keep it in order. It was absurd to say that because a road was a particularly bad one, therefore it became a colonial work. If that principle were adopted the worst and most useless roads would become a perpetual burden on the colony. Whoever was responsible for this road, it certainly was not the colony. If the Canterbury people took their stock over the road, they had an interest in maintaining it—more so, perhaps, than the people of Westland, who could get their stock by sea.

Mr. SWANSON said the matter could be easily settled. The Westland members said they did not want the road, and would not have had it if it had been at their option, and that they would not pay for it; and it was admitted that Canterbury had plenty of money to maintain the road. Well, it would soon be seen if it was worth while for Canterbury to keep the road up for the purpose of sending their cattle across to Westland. If the Westland people did not want the road let them abandon it, and let Canterbury maintain it if it chose. The vote for the mail services was granted on the understanding that the Government would reduce them and dispense with them as far as possible; but the vote for this road would be perpetual.

Mr. KENNEDY said that, if the burden of maintaining this road were cast upon the County of Westland, it would fall upon Hokitika, which already had a considerable mileage of road to keep up. The road from the Canterbury boundary to the sea-coast was fifty miles long. For about twenty miles the country was settled; but

the road for the remainder of the distance ran along the mountain. The latter country should be treated as an outlying district, and the County of Westland should decline to bear the cost of the road unless that particular portion were treated as an outlying district. When it was considered that upwards of 8,000 head of stock travelled over the road annually from Canterbury, it could not be said that it was of no advantage to the inhabitants of the West Coast. The tolls were sufficient to maintain most of the main roads in the colony; there was upwards of £2,000 a year levied on tolls on this road, and yet that was only a fraction of the cost of its maintenance. It was impossible for Westland, or, in other words, Hokitika, to bear such a heavy burden as £8,000 a year on account of this road.

Mr. FISHER said that pressure from the colony at large was brought to bear upon Canterbury to make this road, which was necessary to enable diggers and others to travel with safety to Westland. The road therefore had been the means of sending population to Westland, and assisting it materially. The Canterbury people sent their cattle over to that part of the country to the diggers, who would have otherwise starved; yet the Westland people had been so ungrateful as to put a charge of 5s. a head on the cattle.

Mr. MOORHOUSE had always imagined that one of the effects of the Abolition policy would be that the charge of main and arterial roads would devolve upon the General Government; and he believed that, before twelve months were over, all thoughtful men would agree that the maintenance of main roads ought to be charged upon the general revenue, and the roads maintained by the General Government.

Mr. REID said, if that were so, all the main roads should be on the estimates now, and they should not begin with this special case. The arguments which had been used in support of the vote would apply to any road in the colony. They had been told that this road was forced on the county against its will by an Act of the Assembly. Had they not this year, by passing the Counties Bill, imposed the maintenance of certain roads upon counties against their will? If it had been known that the people of Westland would make an application to get their roads put upon the estimates, other localities would have made a similar application, with just as much reason. He would like to know if the Premier had abandoned the Abolition policy? If such votes as this were to be passed, what was the use of passing the Counties Bill, throwing the cost of these works on the localities themselves? Perhaps the honorable gentleman would remember a statement he made, and which was part of his Abolition policy, to the effect that if that policy were carried out, the subject of roads and bridges would rarely be heard in the House, except in the way of congratulation. He (Mr. Reid) had always expected a policy to be reversed in the following session; but in this case it seemed that the Abolition policy was to be reversed before they got half through the same session. It was a most unwise thing to attempt to pass this special vote. Westland would not be in a bad

position after abolition was carried out. There was a great rush there at present, and its gold fields revenue would be very large this year, and he could not conceive why it should be placed in an exceptional position in regard to this road. He could not see in what light it could be regarded as a colonial work. If it were maintained for the conveyance of the Melbourne mail, that could be carried by pack-horses, or sent round coastwise. If Canterbury did not consider the road a useful one, it would have the option of contributing or not; but he could not see why other counties should have forced upon them the maintenance of their own roads, and the general revenue be taken to keep up this road. He would oppose the vote, which he hoped would be thrown out; and he trusted the Government would adhere to their policy and not make exceptions.

Mr. WAKEFIELD thought the Committee would do right in throwing out this vote. He felt sure the road had been made at the instance of Canterbury, and not of Westland, in order to secure the trade with Westland, which was at the time of great importance, and in order to avoid sending their stock round by sea. The road should be maintained at the cost of that part of the country which benefited by it. If this was to be called a colonial work because the road ran from sea to sea, then they should look upon the road from Auckland to Onehunga as a colonial road, and undertake its maintenance. It would be a monstrous thing to make this a colonial work when there were a great many other roads in outlying districts which ought to be made, but which the people of the district could not pay for. Although a Canterbury man, he would prefer this road being made a charge upon that province to its being a charge on the colony, because the Canterbury people used it to send their stock to Westland. If the trade along it was sufficient, the Committee might depend upon it that the road would be maintained.

Mr. BARFF wished to correct some misstatements made, no doubt inadvertently, by the honorable member for Heathcote, who said that pressure was brought to bear from all parts upon the Provincial Government of Canterbury to make this road. He (Mr. Barff) was one of the first two members who represented Westland in the Canterbury Provincial Council, and the pressure he brought to bear upon the Provincial Government was to prevent this road being made in the direction in which it was intended to take it. He found that all the pressure brought to bear upon the Provincial Government was that of a meeting called together by a person named St. Quentin, a painter, and no doubt a very respectable man. At that meeting, the people of Canterbury were called upon to make this road. They did make it, and charged Westland with it, and thereby ruined that district. Not only was the road made against the wishes of Westland, but the people of Canterbury passed an Ordinance that the Westland people should not be allowed to import cattle by sea, and thus compelled them to use the road.

Sir B. DOUGLAS found that, wherever a rail-

road was constructed, every one was anxious that it should be a colonial work. He would like to ask why these railroads should not be charged to the provinces, if the roads were.

Question put, "That the item 'Maintenance of Road Hokitika to Malvern for six months (in addition to tolls), £3,000,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	34
Noes	...	...	...	28
Majority for	...	...	...	6

AYES.

Mr. Baigent,	Mr. Rees,
Mr. Ballance,	Mr. Reid,
Mr. J. C. Brown,	Mr. Reynolds,
Mr. Burns,	Mr. Richmond,
Mr. Carrington,	Mr. Rowe,
Mr. De Lautour,	Mr. Seymour,
Mr. Dignan,	Mr. Sheehan,
Mr. Gibbs,	Mr. Swanson,
Mr. Hamlin,	Mr. Tairaoa,
Mr. Henry,	Mr. Takamoana,
Mr. Hialop,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,
Captain Kenny,	Mr. Wakefield,
Mr. Larnach,	Mr. W. Wood.
Mr. Lumsden,	
Mr. Manders,	<i>Tellers.</i>
Mr. Murray,	Mr. Lusk,
Mr. Nahe,	Mr. Shrimski.

NOES.

Mr. Andrew,	Captain Morris,
Major Atkinson,	Mr. Ormond,
Mr. Barff,	Mr. Pearce,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Stevens,
Sir E. Douglas,	Mr. Tawiti,
Mr. Fisher,	Mr. Teschemaker,
Mr. Fitzroy,	Mr. Wason,
Mr. Hunter,	Mr. Whitaker,
Mr. Johnston,	Mr. Williams,
Mr. Kelly,	Mr. Woolcock.
Mr. Kennedy,	
Mr. G. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Button,
Mr. Moorhouse,	Mr. Rolleston.

The item was consequently struck out.

Mr. SHEEHAN would like to ask the Premier for some explanation with regard to the item, "F. W. Rolfe, £350." He understood that some time ago the House passed a resolution to the effect that it would recognize no claims for compensation after a certain date. This claim appeared to have been made after that date; and he would like to know what were the special circumstances under which it had been made.

Major ATKINSON said this was a case which was not barred by the resolution referred to by the honorable gentleman. Mr. Rolfe had obtained carts to remove his goods, when the Commanding Officer had taken away the whole of his drays for military purposes. The Public Petitions Committee had inquired

into the matter, and had found that Mr. Rolfe had reasonable grounds for compensation. An inquiry had also been held by Colonel Moule, and he found that the petitioner was entitled to compensation. This case did not in any way open the door to claims for compensation being made in the ordinary way.

Mr. SHEEHAN was sorry to say that it did open the gate to claims for compensation being made in the ordinary way. The colony had said that it would not entertain those claims, not because they were not just, but because they had not the money to pay them.

Item, Miscellaneous and Temporary Objects, £56,021, agreed to.

Item, Exchange and Commission, £3,000, agreed to.

On the question, That the item "New Zealand Institute, £500," be agreed to,

Mr. BURNS asked the Government to explain whether this vote had any connection with the Colonial Museum.

Major ATKINSON said it had not.

Mr. BURNS said it was high time that they got rid of the Colonial Museum. He thought it should be put on the same footing as other museums, and therefore he considered that this special vote should be struck out.

Mr. SWANSON said he observed that an Act of Parliament provided that £500 should be placed on the estimates annually for this Institute.

Question put, "That the item 'New Zealand Institute, £500,' be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	88
Noes	...	...	...	20
Majority for	...	...	...	18

AYES.

Mr. Andrew,	Mr. Ormond,
Major Atkinson,	Mr. Pearce,
Mr. Ballance,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Button,	Mr. Rolleston,
Mr. Carrington,	Mr. Seymour,
Mr. Dignan,	Mr. Shrimski,
Mr. Fitzroy,	Mr. Stevens,
Sir G. Grey,	Mr. Tairaoa,
Mr. Henry,	Mr. Takamoana,
Mr. Hialop,	Mr. Tawiti,
Mr. Hunter,	Mr. Teschemaker,
Mr. Kelly,	Mr. Tole,
Mr. Kennedy,	Mr. Wason,
Captain Kenny,	Mr. Whitaker,
Mr. Lusk,	Mr. Woolcock.
Mr. Manders,	
Mr. G. McLean,	
Mr. Moorhouse,	
Mr. Nahe,	

Tellers.

Mr. Brandon,
Mr. Johnston.

NOES.

Mr. Baigent,	Mr. Montgomery,
Mr. Barff,	Mr. Murray,
Mr. J. C. Brown,	Mr. Richmond,
Mr. De Lautour,	Mr. Swanson,
Sir E. Douglas,	Mr. Thomson,

Mr. Fisher,	Mr. Williams,
Mr. Gibbs,	Mr. W. Wood.
Mr. Hamlin,	
Mr. Joyce,	<i>Tellers.</i>
Mr. Larnach,	Mr. Burns,
Mr. Lumsden,	Mr. Sheehan.

The item was consequently agreed to.

CLASS VI.—NATIVE DEPARTMENT.

Salaries and Contingencies, £22,332 18s. 9d.

Mr. SHEEHAN observed that the honorable gentleman in charge of this department was absent through illness; but he gathered from the silence of the Premier that it was the intention of the Government to take these estimates through Committee. He regretted that they did not give some information with regard to the department, because it was one in regard to which the whole country expected a substantial measure of reform. It was impossible correctly to characterize this department. It was a mystery—dark and inscrutable. Any person who would undertake to clean out this Augean stable might calculate upon having five years' work to do. Its ramifications extended over the whole of the North Island; and there was not, and never had been, such a close corporation as that which figured under this head. He thought the time had come when very substantial reductions should be made in it: it was a moot point whether it could not be dispensed with altogether, but that reductions could be made was to his mind beyond argument. For years past the tendency of all legislation in regard to this department had been to create a sort of heritage for a certain portion of the community, possessed of certain qualifications; but he maintained that the direct beneficial duties of the department had long passed away. As to removing difficulties and promoting good feeling between the two races, the department seemed to have set itself out for opposite purposes. Its shibboleth was *Taihoa*. He believed that two-thirds of the difficulties with the Natives of which they heard were first created by the department for the purpose of settling them afterwards; and so long as this system was continued, so long would they be compelled to keep up a department on this gigantic scale. There had been only one substantial reform during the last four or five years—a reform of a most valuable character—and that was the establishment of Native schools at which the children were taught the English language, and had made great progress in education. Whatever might be said of the Native Minister, it was beyond doubt that in this respect he had conferred a substantial advantage upon the Native people; but what he (Mr. Sheehan) wished to do was to abolish this special tutelage, this system which really existed for the benefit of the chosen few. It might perhaps be inexpedient to do away altogether with the department at one stroke; but in some of the thickly-settled districts the time had come when this special vote might be abolished. He would point out several instances where large reductions might be made, and would take the case of the Resident Magistrates first. There was no occasion now to maintain such a large number

of these officials for Native purposes only. In many instances the work which they were supposed to do could be done by the European Resident Magistrates in the same districts. Those Native Resident Magistrates were in many cases paid higher salaries than the European Resident Magistrate for doing the same amount of work. While upon this subject, he might mention one special circumstance to which the attention of the Committee should be called. It was full of illustration as to the traditional teachings of the department. The Resident Magistrate at Waiapu had to conduct the election of a Maori member for the East Coast Electoral District, in the northern portion of the electorate; and he would briefly go into the details of the case, for the purpose of letting the Committee understand why this case was well worthy of their attention. The gentleman was almost unknown to him; but the evidence taken before the East Coast Maori Election Committee was such as to demand most rigid inquiry. It seemed that the Resident Magistrate himself, and those employed by him, took it for granted that they were to use their best endeavours to secure the return of the Government candidate; and one of the Returning Officers actually spoke of himself as the "Government Returning Officer for Hotene," and said that the other candidates would have to look after their own interest in the same way as he did those of the Government candidate. Anything more reprehensible than the conduct disclosed before that Committee could not be found, and the Government should not allow the matter to pass over without inquiry, and decisive action being taken if the evidence taken before the Committee were borne out; although it could scarcely be otherwise, for the evidence was obtained from the persons themselves. There was another head under which sweeping reductions should be made, and that was the Native Assessors. Two-thirds of these officers were perfectly useless, and in a great many instances the positions were held by men of inferior rank; the leading chiefs and men of rank refusing to accept positions at the hands of the Government. Many of these Assessors received salaries ranging from £20 to £50. He knew many of them himself; and although he had had four or five years' experience of the working of the system, he had failed to discover any good work that these people did. They were very often unfit for the appointment; they were often not acceptable to the Native people, and were men who ought not to be intrusted with positions of this kind. It simply amounted to spending so much money for a purpose that was entirely useless. There was a time, perhaps, when the flour-and-sugar policy was in full swing, when it was desirable to employ these bribes for the purpose of keeping some of these people from becoming obstructive and going into rebellion; but that time had entirely ceased, and they ought now to do away with these Assessors, so that the Natives should be brought under the same law as the Europeans, and become accustomed to having their cases determined in the European Courts. As a matter of fact, these

Assessors' Courts were simply burlesques. The people who presided in them were wholly ignorant of the law. He knew of a case which occurred in one of these Assessors' Courts in the district of Kaipara, which would give a very good idea of the Native notions on the subject. He remembered being present at a trial before a Native Assessor in that district—he need not particularize the nature of the crime, which was an offence against social decency—and was asked to take a seat beside the presiding Assessor, who appeared not to take a large amount of interest in the case. He (Mr. Sheehan) asked him why he did not take notice of what was going on. His reply was that his mind was made up: that he was going to fine the culprit £30, that being the precise amount the culprit owed him. That was a case in point; and it was not a solitary instance. So long as they had people exercising these functions, so long would they have evils arising amongst the Natives. Then there was a perfect army of interpreters. That was the only word that could be properly applied to the large body of interpreters provided for in these estimates. To a large extent, these interpreters could be dispensed with. Many of them were not fully employed, and were simply maintained perhaps for the same reason that a good number of people were employed to purchase Native lands in the North Island—namely, to keep them out of harm's way. He observed, under the head of "General Contingencies," that a sum of £3,000, voted last year for the purchase of food, clothing, &c., for the Natives, was now reduced to £1,000. When they looked at the fact that for some eight or ten years the Natives had been largely demoralized by these presents of food and clothing—that they had been induced to hang on to the skirts of the Government rather than endeavour to maintain themselves by honest labour—it would become a difficult task for the Government to resist the importunities of these people; and if it should happen in the course of time that some other gentleman might take the office of Native Minister in consequence of the retirement of Sir Donald McLean, that gentleman would find a very difficult task before him in endeavouring to enforce reform. Then there was another item under the head of "General Contingencies" which might very well be struck off—the item of £400 for carrying on the Maori newspaper. The Natives had shown that they were capable of carrying on a newspaper of their own, which enjoyed treble the circulation of the Government paper. The Government newspaper had been maintained by the funds of the colony, and should have kept free from any political bias whatever. He was now referring to the notorious matters brought before the House in years gone by, when articles having a strong political tendency were published in the *Waka Maori*, and circulated throughout the length and breadth of the Native districts. The *Waka Maori* ought to be a self-supporting paper; but as long as they obtained funds to carry it on, so long would the persons intrusted with the management of it see no necessity whatever to endeavour to make it self-supporting. He thought the application of the self-reliant policy would be

a very desirable thing in this direction. With reference to the Native schools, he would like to see the amount larger for that purpose, because he was aware there was one drawback in the system already established. The salaries given to the teachers had been such as to confine the Government in many instances to the selection of inferior men. In some instances the teachers employed had been men of intemperate habits, and were by no means desirable persons to be resident amongst Natives. If the salaries were larger, many able men would take charge of the Native schools. It was impossible at this stage to speak of all the items in the Native Department. From his knowledge of the Natives he could say that they would be better governed, and they would themselves be better pleased, if this special department, kept up as a barrier between them and the European population, were swept away. The reform in this direction might extend over one or two years, but the vote should not be passed in its present shape. Some substantial reduction ought to be made, and the Government called upon to give effect to it. There was an increase in the departmental cost, which ought to be decreased rather than increased. With that view he would move 'That the item be reduced by £10,000. He hoped the experiment of reduction would be continued, and that the department would be done away with next year.

Mr. HAMLIN did not know why there should be Assessors employed in his district, as there was really nothing for them to do. There were very few Natives in the district.

Mr. ROLLESTON asked the Premier whether he would bring down this year a Bill to continue the Native Schools Act. He asked the question during two or three sessions, and he had never been able to ascertain why the Act was not continued. The great object of that Act, with which he had had something to do, was to remove the question of education above the temporary exigencies which might arise. He should like to see a Bill of one or two clauses brought in, to renew the operation of the Native Schools Act. The estimates were usually prepared in accordance with that Act.

Mr. REYNOLDS said that that question had cropped up several years, and the feeling of the House was that they should have no permanent Act. The honorable member might trust the Assembly to supply funds, as no difficulty had been experienced in doing so since the Act had expired. He objected to tying up the appropriations by permanent Act. There was no cause to apprehend that the Native schools would be neglected.

Major ATKINSON was sorry his honorable friend the Native Minister was unable, through illness, to be in his place. He would make a few remarks in reply to the honorable member for Rodney. The honorable gentleman started by telling them that it would take five years, at least, to do anything with the Native Department—to reduce it or bring it within reasonable limits; and yet he proposed that a great reduction should

be made this year, without giving the Government a chance of doing anything. He (Major Atkinson) would point out that what his honorable friend the Native Minister had attempted to do, he had really done very effectually indeed. It was all very well for honorable gentlemen to get up in the House now, amidst peace and perfect safety, and say that the Native Department during the last five years had been doing nothing. The facts were against any such statement. A good feeling had been gradually growing year by year; and he would say, without hesitation, that that was to be attributed to the labours of the Native Minister. It was also evident, from what had fallen from the honorable member for Rodney, that the Native Minister had not lost sight of the main work he had to do, which was to educate the Maori people in the English language. As soon as possible he proceeded to establish schools all over the island. A great deal of good had been done in this way, and the honorable member for Rodney gave the Native Minister credit for it. If that was true, and if the condition of the Native race had been very much improved, it showed that the Native Minister had managed his department with very considerable success. That was a fair deduction, looking at it as a matter of results. The honorable gentleman had told the House the time had arrived when it would be safe to bring the Natives more within the laws and usages that apply to Europeans. But it was necessary to do this very gradually, and there would be very great danger in doing it too suddenly. He had no hesitation in telling the Committee that if they struck off such a sum as £10,000 very great damage was likely to follow, and he spoke with some knowledge upon these matters. His honorable friend, the Native Minister, had given an earnest of making very considerable reduction in each year. The year before last, the vote was £40,000, and it was reduced to £25,000 last year, and this year it had been reduced from £25,000 to £22,000. The Native Minister had told them he would endeavour, during the recess, to further reduce the expenditure as far as possible. If the Committee should, upon the recommendation of the honorable member for Rodney, strike off this large sum, it would be necessary for the Government to dismiss many Magistrates and Assessors, and very great difficulties would arise. The honorable member seemed to contradict himself when he gave that interesting story about a Native Assessor; for, if it meant anything, it meant that the Magistrates should be maintained because these Assessors were unable to administer justice, yet the honorable member desired to cut down not only the Assessors but the Magistrates. He did not at all agree with the honorable member that the Committee should suddenly strike off so large a sum, because it meant a reduction of one-half of the unexpended balance of the vote, and it would be impossible to carry on the department with that amount. He did not think that the honorable member was right in telling the House that there was very great dissatisfaction in regard to the appointment of Assessors by the Native

Minister, and that that honorable gentleman had not been wise in the selection of officers. The House would, he thought, rather approve of the selection of the Native Minister than of the honorable member's statement. He thought the House would naturally rather trust to his honorable colleague. He was quite satisfied that, if they suddenly reduced the vote, very great difficulties would arise. One important change had been made in the estimates which appeared to the Native Minister to be desirable—and that was to place the whole salaries upon the estimates, instead of leaving a large number of them upon the Civil List. This had made the expense of the department appear to be increased, whereas it really was reduced. The total amount available for contingencies was set down last year at £8,000, but this year it was only £5,000, including the Civil List and the £1,000 put down here for Contingencies. He should mention that £2,500 of the Civil List was for pensioners. He hoped the Committee would not agree to the reduction of this vote, but would leave the Native Minister to reduce the expenditure as far as possible.

Mr. TAIAROA did not think there was any need whatever for doing away with the sum voted for Native Assessors, and for officers in the position of Mr. Kemp as Commissioners and others. He thought the Maori Assessors had done right in the Maori districts in their action with the Magistrates. If the House did away with these Native Assessors they would see what great trouble would arise through it, for the European Magistrates would not be able to do anything in the Native districts. The salaries paid to the European Commissioners were far in excess of those paid to the Native Assessors. Formerly the revenue of New Zealand was decreasing, but now it was increasing, works were increasing, and population was increasing, yet it was proposed to do away with the votes for the Natives. He thought the vote should be left as it was, because the Government were working towards reductions. If the Assessors were done away with, perhaps they would come to the House for compensation for the loss of their work which they had undertaken at the instruction of the Government. Some of the Assessors were appointed by the Government under warrant; he knew some in the Middle Island. A great deal of money was derived from the Natives; and if honorable members calculated it, they would see that the Natives contributed very largely to the revenue. With reference to the schools, he would not like to see them done away with, because they had been established through the action of the House by the Native Schools Act. In both islands, the Maoris had agreed that schools should be erected for the education of their children. The children had not yet been able to have a fair chance, and it was now proposed to limit the sum set apart for education. Perhaps next year it would be proposed to do away with the Native schools altogether, and he thought the schools ought to be put upon a permanent footing. Some of the Assessors had been appointed at the request of their tribes. He did

not know much with regard to the Assessors of the North Island, but that had been done in the South Island. The honorable member for Rodney said the Assessors were not approved of by the people, and perhaps he referred to the Assessors of the North Island. Last year he himself asked that the salaries of the Assessors in the Middle Island should be increased, because they drew very small salaries, some as small as £10 a year, and some £40 or £50. He did not think that was money at all. If the Committee were going to do away with any, let them do away with all at once and not vote any money. Do not let them take away £1 and leave £1. Do not let them take away one £50 and leave another. He would support these items of Native expenditure as they stood from beginning to end.

Mr. TAKAMOANA now had something to talk about, as this matter referred to the Natives. He approved of what the Premier said, that the Native Minister had done good actions. He was right in saying the Native Minister had done good work. His own interpretation of that good work was, that the House should set to work to appoint new Assessors altogether. With reference to the Native Assessors, if they remained as they were it would not be right. The honorable member for the Southern Maori District was right in what he said about the Assessors, but he referred only to those in the Middle Island. What he had said about them would not apply to the Assessors in the North Island. The Assessors whom the Native Minister had appointed for this island had been appointed for the purpose of wheedling the Natives to their destruction. If the House were to appoint new Assessors in their place it would be better, so that the people might have an opportunity of selecting wise men to conduct their affairs. With reference to the Assessors that were now in office, the honorable member for Rodney was right in saying that the Natives did not know them. There were no Assessors in his district appointed by the Native Minister. He was the Assessor there, and it was through his influence that things had been kept quiet. He did not know who the Assessors were in the district between Wairarapa and Turanga. He was the only Assessor he was aware of who had dealt with troubles that had arisen in that district. If any Assessors were to be kept in this island let none be left on the East Coast, but let all the Assessors in that district be done away with. If it were left to the Assembly to decide and to approve of the recommendations of the people as to the Assessors they would like appointed, he would agree to that. It was through the action of the Native Minister's land-purchasing matters that trouble had begun to arise in this island. It was he (Mr. Takamoana) who prevented fighting after the affair of Rawiri Waiana; the Assessors did not act in that way. It would be right for the House to appoint the Assessors. It would then be seen that the people would not select Assessors who had been appointed by the Native Minister; they would appoint others in their place. Then matters would be done in the House as if there was only one race. Although the Minister might say that matters

were going on well now, he (Mr. Takamoana) said No; everything was going on wrong. He had received many letters from different tribes on this island against the Native Minister. It would take him perhaps a whole day to discuss that matter in the House, and to produce all the letters which had been written to him against the Native Minister. The only two members on the eastern and western sides of the island were himself and Hoani Nabe, and they were the only ones who had received a great number of letters against the Native Minister. They had not shown to members of that House numerous letters they had received against the Native Minister. Therefore he said to the Committee, "Do not listen to what the Minister of the Government has been telling you, but listen to me, as I live among the Maoris." Let a new system be instituted by the House with reference to these Assessors, and also to the schools. It was three years since he commenced to establish a school. The fault of the Native schools rested with the Government. Perhaps schools in other parts of the island were carried on properly under the Government. He had not seen any contributions from the Government to his school yet. It was his money that was paid up to the time that the teachers left the school. The House should start a new system altogether about these schools. There were two schools at Napier that were not right. The Government did not assist him in his contributions towards the school. He had often asked them to assist him, but they had only given money in name. The Maori children who were living in European schools had been dealt with very badly there. He took two children away from death, that were attending a school in Wellington. One belonged to the Arawas, and one to the Ngatiporou. It was only when they were nearly dead that the Government were returning them to their homes. He said they might as well leave them alone; they were just as good as burying them, putting them on board a vessel in the state they were in. It was through his getting a doctor in Wellington for the Ngatiporou boy that he was saved. Therefore he said that the House should institute some new course in reference to these schools, so that proper people should be appointed who would not be in the same position as the present persons, who were only acting as a decoy on behalf of the Government. Let the assessors be appointed under their own rights and not under the rights of the Government at all. He was not advocating doing away with these; but what he objected to was leaving them under the present system. He was very dark on account of this work, although they might look upon him in a wrong light. He said last year that perhaps all the members of the House were not chiefs. It was on account of those who were ignorantly pressing themselves against the Maoris whenever they rose to speak. He heard the chiefs in the House expressing themselves in favour of the Maoris, but the ignorant ones used to say "No." Therefore he said in some things he would not be afraid of them at all. Some of the laws which they passed he did know about—perhaps he might be ignorant, and perhaps he might not. There was a disturb-

ance at present in his own place, and he said that the lands about which the dispute arose would not be returned—never. It would only be by force of arms that this land would be put in a proper position. He was not afraid of their intimidations or those of the Government now. It was well that he should suffer. It would only be through the destruction of those people that the land would pass from them; because it was owing to the wrong beginning at the Native Land Court that the difficulty occurred. He was waiting to hear something about it in the House. The matter he referred to was the dispute at Omarunui. It was because he had heard nothing from the House about it that he referred to it now; for he heard that things were being kept quiet here, that everything was right here, and that the Government officers were intimidating people at Napier. Therefore it was he let them know he was not going to be intimidated into giving that place up. It would only be by the death of the people that it would be given up. By the people he meant the Maoris, including himself. He did not know what course would be taken with regard to the action in the Supreme Court in reference to that land. He was not the one who asked that an investigation should take place. He said to Sutton that he would have to kill the people before the land was taken. He told him that first. He referred to this now, because he had been told about it by Europeans. He asked the House not to forget this thing. If it was their wish to destroy the people, very well; let them be destroyed. Do not let it be left until the matter grew worse, and then take action against the Maoris. He did not think that grievance was confined to that particular place. Such things existed all over the island. If it was determined to send these people off, he would ask that no action should be taken until he could go to England and make inquiries himself about it. It was through that fighting at Napier that he said he would go to England. If the law under which action was taken came from England, he would agree to give it up. They should not think he was saying what was incorrect. As soon as this session was over, he would suggest to all the tribes that he should be sent to England. If they did not agree to send him there, then he would come back to that House again; but if they did send him Home, he would not come back here again, because he was so dark on account of the numerous bad things that had been done in that House. At other times he had other gods and other customs; but the Europeans came and brought their religion, and under that religion he saw that they were trying to plunder that island. He did not think that things were being done in accordance with the law of that God whom the Europeans worshipped. He would go to England himself, and see if the roots of those laws were there which the Europeans were making here. He again said that some fresh system should be adopted. Do not let matters be continued according to the Native Minister's course of action. If things had to be commenced afresh, then he would say that matters would not be evil. If Ministers said that things were to be left as

they were, he and the Maoris thought everything would go wrong. Numerous petitions had been sent in against the Native Minister, and some of them had been presented and laid on the table of the House. With reference to Native Assessors and their appointment, some of the Assessors in the Wairarapa district had been intimidated on account of their wanting to hold on to the land. Also on account of their objecting to the sale of the Wairarapa Lake, Assessors were told they were going to be dispensed with if they maintained their objection. There were many of them who had been dealt with in that way. Therefore he thought new Assessors should be appointed in their place. That was all he had to say.

Mr. ROLLESTON was satisfied the speech just made by the honorable member for the Eastern Maori District would convince the House—if it convinced them of nothing else—that they ought not to be in a hurry in respect to this Native vote. He thought that it would convince the House also that there was room for very considerable reform in the Native Department. Although he had listened with great interest to what had fallen from the honorable member for Rodney, he thought that the question of cutting down this money vote was not dealt with altogether very fairly by him. That honorable member did not say whether he objected to this vote as an unnecessary expenditure of public money, or whether the money was being spent mischievously and in a wrong direction. If it was the first—if it was a question of economy—he would say that was about the last thing they ought to consider, in respect of a population contributing so largely as the Native population were contributing to the public chest. All that was under consideration was a vote of £20,000; and they ought not to consider it for a moment, if there was any benefit to be derived from it. The honorable gentleman did not argue against this vote as being a mischievous vote at all. He thought, if the honorable member had gone fairly through the items, he would have seen that a very large proportion of the votes put down to the Native Department were really salaries of officers, who would have to be maintained whether there was a Native population or not—sums which, if not voted under this department, would have to be borne by the Judicial Department. With regard to Native Assessors, he thought that what had fallen from the honorable member for the Eastern Maori District was deserving of great consideration. At any rate, whether or not what he had said was borne out by fact, and whether or not there was a system of favoritism with regard to those Natives who had shown a disposition to part with their lands to the Government, he thought it would be well to do away with the possibility of such imputations resting on the department. Nothing was clearer than that chieftainship was generally recognized among the Natives; and the Natives might well be trusted with an elective voice in the appointment of those Assessors. The appointment, of course, must come from the Crown, but he thought the election should vest with the Natives in the district. He

would like to say one thing with regard to what fell from the honorable member for Rodney. He would not for a moment accuse the honorable member of doing what was very common with respect to the Native Department—namely, using cant phrases. If there was one cant phrase used more than another with regard to the Native Department it was, "Let there be one law for the Natives and Europeans—let them be one people." He was once talking to a very prominent chief in the North, who said, "You talk of one law and one people. Your men occasionally marry our women; but do you tell me that if I came and asked you for your daughter, you would let me marry her? It is all nonsense to talk about our being one people." He took it that intermarriage between the two races was the only thing that would make the two races one. With regard to Native schools, following up what he had said just now, he must say he thought it was a great pity that the Native Schools Act had not been continued in force. The fact was, they had established recently an entirely personal government, instead of what men like Judge Richmond and Mr. FitzGerald had insisted upon in the interests of the Maoris—that was, a reign of law. This personal government had overshadowed what he believed might have been the brightest feature in Native management—namely, the Native Schools Act. That Act provided very simple machinery for payment by results and upon inspection. Now they had got no inspection of the schools. What they wanted was good officers, independent of the Native Minister and independent of localities, really reporting what those schools were doing. With some little experience of the schools, and as one who was really the first Inspector of Schools under the present Native Schools Act, and judging from the way in which the salaries were put down, he could see very little possibility of the schools being really worked efficiently. The salaries put down were perfectly ludicrous. At any rate, at present, they had no information of a satisfactory character with regard to the Native schools. He hoped the Premier would promise on the part of the Government that they would bring in either the old Native Schools Act or some modification of it, which could be so satisfactorily worked under inspection as to convince the House that the work of Native education was really progressing. He hoped the House would not proceed to deal with this Native question on the understanding that it would be possible to make the Natives and ourselves one people, because he was satisfied they would fail in that attempt. What they should attempt was, to bring about a state of things in which the two races would work harmoniously, without an attempt on the part of either to overreach the other. It was impossible to deny that the way in which things had worked in the past was that when the Europeans wanted to get an advantage from the Natives in the way of getting land from them, they said to them, "We will have only one law, and will deal with you as if you were Europeans, notwithstanding the fact that we do not speak the same language, follow the same habits, or are in any

sense one people." On the other hand, when the Natives had asked for some special advantages from the Europeans, the latter said, "These things will not be good for you; you are only children as compared with ourselves." Neither position was right. They were not one people with us, and they were by no means pure children, as could be easily seen in a large proportion of their dealings with us. He hoped the honorable member for Rodney would withdraw his proposed reduction. He agreed with that honorable gentleman that there was a great necessity for a thorough reform in the Native Department in the selection of Assessors, and in the inspection of Native schools. And, above all, he held that the whole question of dealing with the Native land pressed for reform. We had of late been dealing with the question of Native lands in a very wrong way. In 1865 privileges were granted to the Natives, which since then we had been trying to take back again. There should be no going back in a question of that kind. We should not say to them, "We are going to give you the privileges of European citizens;" and then say again, "We must now resume the State's right of pre-emption over Native lands." He held that the system which ought to be adopted was one of free trade. At the same time, there would have to be done that which ought to have been done years ago—namely, the reservation of tracts of country which could not be alienated, and within which purchases should not be allowed. If that were not done, we should have amongst us a pauper race. He would gladly see something in the nature of a Native province, where the Natives might be seen growing up gradually, doing away with their communism, and rising in the scale of civilization, without being deprived of their freedom in the way they were now by being compelled to live in our towns, and learn the worst form of European civilization. He would like to see the honorable member for Rodney, and other honorable members who had a knowledge of Native matters, if there was to be a change in the régime, take this matter up; but he would not like to see any man who had the direction of these affairs in the future crippled for the sake of saving a paltry sum of £10,000.

Mr. JOYCE said the honorable member for the Eastern Maori District spoke of a specific land transaction. He (Mr. Joyce) was not aware, and did not know whether other honorable members were aware, of the particulars of that transaction; but he was very much impressed with the manner in which the honorable member spoke. The honorable member spoke of it as a transaction which caused a large amount of irritation in the Native mind—an irritation which, from the tone of the honorable member's remarks led him to believe that at any moment the Natives might be led into open resistance. He would say to that honorable gentleman, Are you quite sure the Parliament understood the nature of that transaction? Are you quite sure it is doing you a wilful injustice before you permit, so far as your influence goes, this irritation to spread? Be very careful that you make Parliament aware

of the particulars of that transaction; and until you have exhausted all means of redress you should not think that there exists a spirit of injustice or a desire to do wrong to the Native race.

Mr. SWANSON thought the honorable member for the Eastern Maori District was very particular in saying that he was going to take that course. Failing redress in the colony, he was going to appeal to the Queen; and if Her decision was given against him, then he would abide by it. In the meantime, he would hold possession of the land, of which he thought he was being wrongfully deprived.

"Sir R. DOUGLAS said there were two Native Assessors in his district, and he knew very well that both of them had done a great deal of very good service. Without their assistance, there might have been trouble on more than one occasion. Lately, some Europeans took a cutter and went to a small Native settlement, and took away a large quantity of fruit belonging to the Natives. The Natives were quite strong enough to treat these people as they pleased; and violence might have been the result if it had not been for the action of the Native Assessors, who persuaded the people to appeal to the law. If in that one instance mischief was prevented by the expenditure of £20 a year, the Assessor should certainly be kept on. The other Assessor had also saved much trouble in the district, and he would be very sorry to have either of them cut off. He did not see votes on the estimates for their salaries, but he supposed they would be provided for. As to what the honorable member for the Eastern Maori District said, he agreed with that honorable member up to a certain point. Every subject had a right to appeal to Her Majesty; but no member of the House, be he Maori or be he European, had any right to threaten to bring war upon the country. Therefore, far from cutting down these estimates, he thought they should be added to. The tone of the honorable member's remarks would lead to the belief that, if Parliament abided by the decision of the Supreme Court, war would be the result. He for one would support the Government in carrying out the law, whatever might be the result.

Mr. REES said there were over 150 Assessors provided for in these estimates. If the rumours were to be believed which came from Napier, and especially from the outskirts of the Waikato, the pay of these Assessors was money which was to go to the worst characters among the Maoris, and would have no good effect, except so far as the paying of these men might help to keep peace. The worst characters were pitched upon as Assessors, and they were paid money which would be stopped from them if outbreaks occurred. That was the way in which peace was preserved; and it was carried to such an extent that the peaceable Natives were disgusted. In relation to the remarks of the honorable member for the Eastern Maori District, it was a matter of public notoriety that the Oamaru land was held by Natives in arms; that the Sheriff went up there with constables, and found that he could not take possession of the land without a fight, because the

Natives were ready to carry out their threats, believing themselves to be ill-used. The Government did not know what to do in the matter, whether to carry out the law or not—whether to carry out the order of the Court or leave it to chance, which was generally the guiding principle of the Government. It was well known all over the colony that the Natives in Napier had been entrapped into all species of bargains in relation to their lands; that they had signed deeds for parting with their lands, the nature of which they did not understand, when they were in a state in which they were not masters of their own actions, and under circumstances in which, if they had been Europeans, and had brought their cases before a Court of Equity, those deeds would at once have been set aside. There were cases in which large blocks of land worth £1 an acre were bought by a member of the House, who was also a member of the Ministry, for 2s. or 3s. an acre, paid in bills running over several years. When the Natives knew these things, it was not likely they would be satisfied. In the same way, in relation to some of these matters, the Governor had power to make regulations for the management of these things, and to see that the deeds were justly carried out; but the Governor had not exercised his power. The Native Minister, and two or three other gentlemen in Napier connected with him, had exercised all power in relation to these matters, and the consequence was that no one except those who were engaged in the land purchases could get anything, while the Natives were put to hundreds of pounds' worth of expense, and could not get their purchases completed. He had put a motion before the House some time ago, asking the Government whether they would not appoint some one to complete a purchase instead of Mr. Turton, whose merits it was found entitled him to be promoted to another place. It was singular this should have occurred at the time when that gentleman was ordered to complete the transaction. He believed that, when the history of the colony was written, a state of things would be revealed which would be a disgrace to the House, to the colony, and to the administrators of the law. He did not sympathize with the Maoris when they threatened to resist the law; but he felt that a time would come when they would resist. Selden, the greatest lawyer England ever produced, was asked where it could be found in the English law that Englishmen could resist tyranny, and he said it could be found in the custom of England, and "the custom of England," said he, "is the law of the land." If the Maoris were to be tyrannized over, and the hand of force and cheating and oppression was to be extended before and upon them, they would resist. If they resisted wrongfully, no doubt the law would be able to put them down; but if they were right in their resistance, then the guilt would fall on the heads of those who were guilty. What had they heard from the despatches which had been read in the House? They had heard that the Native Minister himself offered to make the King country a separate province. He offered, as a bribe, to place the Maoris in the King country on a superior footing to the

white people in the Province of Auckland. It was not to be expected that the Natives in Napier, when they found themselves losing all their land—the reserves which were made for them and their children—reserves of the finest portions of the country—when they found thousands of acres slipping out of their grasp, it was not surprising that they should resist. One of those Natives was, he believed, lately threatened that if he did not sell his land he would be put in prison; and this threat was made by persons who had got verdicts against him. He repeated that when the Natives were in that position, and when no notice was taken of their complaints by the House, he was not surprised that they should say, "If we cannot do anything else, we can die in defence of our property." He believed that the Native Department had been the curse of the country. It had been over and over again said that Sir Donald McLean only came actually into power over the Natives when they had been defeated by a previous Ministry. Some of the Natives were taken to the Chatham Islands, and he believed they sent messages to the Government stating that their time was up there; and it was only when they found that the Government would not pay any attention to them that they came from the Chatham Islands to New Zealand. But, as he understood, orders were immediately given to pursue them, and he believed that was the commencement of Te Kooti's war.

An Hon. MEMBER.—Sir Donald McLean was not Native Minister then.

Mr. REES believed that Sir Donald McLean was Native Minister during a great portion of the time. The same course had been pursued ever since. When the honorable member for the Thames, Sir George Grey, ceased to be Governor of the colony, he left everything in peace and quietness; but he did not see how they could be surprised that, instead of having the Maoris friendly with them, and mingling with them in the same religion, they should find them inclined to resist the tyranny and oppression to which they were being subjected. Could they be astonished at this treatment of the Maoris when they saw the Ministry actually driving Europeans into the same position? It seemed to him that those members who supported the oppression of the Natives would do the same with regard to the Europeans; but time would show who would come out right. He trusted that the honorable member for Rodney would not withdraw his motion, but that he would reduce the amount he had named to some extent. He was quite certain the honorable member had not the slightest wish to see any of the schools done away with, though he might wish to see economy practised. He observed that the amount of money set apart for the purchase of food and clothing for indigent Natives, rewards and presents to Native chiefs, and for the encouragement of agricultural pursuits, which was last year £8,000, was this year reduced to £1,000. He supposed that the Hon. the Native Minister, being about to retire, thought that, though he had required £8,000 a year, £1,000 a year would be enough

for the man who was to take his place. He remarked that there were 154 Native Assessors provided for; but he did not believe that 154 Native Assessors ever sat in New Zealand. He did not believe that the Government knew the names of those 154 persons, where they sat, or what they did. He did not see why there should be any Assessors required in the King country. He had heard that the friends of the so-called Native King—well-known Kingites—could come into town from the Waikato, and buy goods from the stores, paying for them with orders on the Native Department, which orders were always paid. He hoped his honorable friend the member for Rodney would reduce the amount named in his amendment from £10,000 to £5,000, and that he would press for the reduction: and then the Government might give some explanation as to how the money that had been voted for the Native Department had been spent. They saw the Native Minister creeping up to the feet of the so-called Maori King, and asking that the Governor might be allowed an interview with him. The Natives had been plundered of their lands to such an extent that, as had been stated that night by Karaitiana, they became so incensed that they thought of sending an embassy to the Queen to protest against it. He again hoped that the honorable member for Rodney would not withdraw his motion, but that he would reduce the amount he had at first fixed upon to £5,000.

Major ATKINSON thought it necessary to make one remark in regard to what had been said by the honorable member for the Eastern Maori District. He presumed that the honorable gentleman referred only to his own district, when he said that the Assessors were slaves, or next door to it, as they represented nothing, and had been appointed for some purpose other than the good government of the Natives. He had to inform the House that considerably more than one-half of the Assessors were appointed while Sir George Grey was Governor of the colony, and that about three-fourths of them were appointed before Sir Donald McLean took office as Native Minister. Of the twenty Assessors in the honorable gentleman's district, ten, who were leading chiefs, were appointed during the time Sir George Grey was Governor; thirteen out of the twenty were appointed before Sir Donald McLean took office; and seven had been appointed since. He held in his hand a list stating the names of all the Native Assessors, and any honorable gentleman who wished to do so might examine it. He would state that the representations of the honorable gentleman were not at all according to fact.

Sir R. DOUGLAS felt bound to make a few remarks in answer to the charges which were continually made against the Native Minister. He knew of no course more calculated to create difficulty in this island than the making of statements such as those contained in the speech of the honorable member for Auckland City East. He had made accusations against the Native Minister in the hearing of the Maori members, and those accusations would go forth to the country. No one replied to them, and the result

would be that the Natives would believe that in the Parliament of New Zealand accusations had been made, and those accusations would be regarded as true. He did not for one moment say that those accusations were not true; but if they were true they could be brought home. They should let the Natives see that they did not come here to talk only, to abuse a man, and to accuse him of all sorts of villany—he did not know any other word that would apply to such charges. They should bring home one of these charges, and let the Parliament see that it was correctly made and brought home; and the House would then, he felt sure, mete out such punishment as should be meted out to those who were guilty of such gross practices as were alleged against the Native Minister. But the charges should first be brought home.

Mr. SWANSON would give the honorable gentleman a fair opportunity of bringing two charges home, not against the Native Minister perhaps, but against the Native Office. Some time ago, there was some land-purchasing going on in the Province of Auckland, and it was thought that some nice little pieces were being set aside for friends of the officers. It might have been wrong to think so, but the Provincial Council decided to inquire into the matter. The Committee appointed sent for Major Green, and what did he do? When he was called in to give evidence, he produced a telegram to this effect: "Do not give those fellows any information." They threatened to send him to gaol, and he answered, "You can send me to gaol if you like—these are my instructions." That, certainly, looked like interference, he thought. Then there was another matter which came before the Public Petitions Committee during the previous week. Some Natives at the Thames had some land to sell. They had their Crown grant, and were entitled to deal with their land in any manner they thought proper. Some Europeans were prepared to give a price for the land, and everything was settled except that the Resident Magistrate refused to sign the deed. On that, a petition was sent up complaining that the Resident Magistrate refused to do his duty. The Chairman of the Petitions Committee was instructed to send a telegram to the Resident Magistrate, asking him if he did refuse to sign, and, if so, why? He answered that he did refuse, and gave the name of the gentleman who instructed him not to do so. Those were two cases which he could lay his finger on without going further. The honorable member for Marsden said, "Sheet the charge home!" Now there were charges sheeted home, if that was what he wanted. The Public Petitions Committee had had before it a petition from Taranaki showing that something of the same kind had been done there. He did not know whether the statements in the petition were true, but the other two cases were certainly beyond doubt, and the interference could only be characterized as most unwarrantable. But that was not all: there were others that had come up in evidence. It seemed that if the interpreters did not interpret according to instructions they were not appointed, and

that surely was not the proper way to conduct public business. The Petitions Committee had over and over again recommended that this kind of thing should be stopped, but it was not stopped. He recollected one gentleman who was deprived of his situation in the Native Department, and he thought very properly so, for something that was not very creditable; but he was reinstated, and had the coolness to petition for compensation for the time he was out of office. The matter was inquired into, and the Committee expressed great astonishment that the man ever got into office again; yet he is there now. It was all very well for honorable gentlemen to say that these things were all right. They were not all right. He also recollected that the Committee, when getting evidence from one of the officers of the Department, had asked him whether he thought it proper that officers in the Native Department should become purchasers of land, using the information and the special facilities they had gained in their official capacity for dealing with the Natives. He expressed great surprise that their right to do so should be questioned. He considered they had a perfect right to go into the market and purchase for themselves and their friends, making the most of their official position; and altogether it seemed a new idea to him that anybody else should think differently. He gave his evidence with the utmost frankness, and could not conceive that anybody had a right to interfere with them. It struck him (Mr. Swanson) that this was a kind of thing that should not be tolerated, and the sooner the Native Office was reduced the better.

Mr. REES said he could not allow the remarks of the honorable member for Marsden to pass without comment. That honorable gentleman was on the Committee appointed by the Auckland Provincial Council to inquire into the Native land case referred to by the honorable member for Newton. It was alleged in the Council that the Government had connived with their friends to purchase lands which other people were debarred from purchasing. The Committee sat and called upon Major Green, who was acting as General Government Agent in Auckland, to give evidence. Upon his appearance before the Committee, he handed to him (Mr. Rees), he being Chairman, a telegram from Dr. Pollen, in which he was instructed not to give a word of information, upon pain of dismissal from his office. And yet the honorable member for Marsden talked about sheeting these charges home! How were they to sheet them home? The honorable gentleman was himself on that Committee, and knew all these things quite as well as he (Mr. Rees) did; and still he talked about sheeting them home! If the House were to act in the manner spoken of by the honorable gentleman; if these things were dealt with in a fair and upright manner, and not in the way they were accustomed to see them dealt with, they would be able to sheet home a great many of these things. Men came down from Hawke's Bay and made statements of this kind, and were not afraid to state them on oath; but what was the use of their doing it? Nothing ever came of these things. The

honorable gentleman also talked about making statements which were likely to cause discontent among the Natives. Far greater discontent would be caused among the Natives by speeches such as those of the honorable member for Marsden, and by attempts to gloss over these things, and cast a species of shame over men who were bold enough to come forward and say what they knew to be true. Honorable gentlemen knew that there were far worse things behind, and that they would bring punishment upon them some of those days, and upon those who assisted them. There was not the slightest doubt that those who stood by and saw these things done, and took no means to stop them, would yet have to answer for their conduct. They would share in the punishment—punishment which would be severe, at least as far as public estimation went; but he did not think they valued that. They had seen the Ministry themselves conniving with Europeans for the sale of Native land, and compelling the Natives to sell at any price which the Government chose to give them; and then there was the case of the sale of land at Hungahunga to Messrs. Whitaker and Russell. They knew of all these things perfectly well; and yet honorable gentlemen talked in a mealy-mouthed manner about these things not being sheeted home. They were sheeted home, and what was the good of it? The Government had all the power—a power which could put honorable gentlemen in their seats after a Committee of the House had declared them to be forfeited. And yet the honorable member talked about sheeting these charges home! If they were sheeted home, those very gentlemen would pass a vote absolving the Government from blame. It was enough to make men sick to listen to such statements.

Sir R. DOUGLAS said he could not allow the subject to drop without saying a word about the matter in which Major Green was concerned. When the subject came before the Committee, the Chairman threatened Major Green very seriously that it was quite possible he might be sent to prison if he refused to give evidence. He (Sir R. Douglas) listened to this; and, in order that the proceedings should be carried on, he moved that Major Green should be sent to prison; but the Committee was afraid to do it, and principal among those who were afraid was the Chairman. Nobody would go to that extreme. He was willing to see how far they could go; but the Committee was a sham, and as a sham he disliked it. But in that House, if an accusation were made against the Native Minister, any honorable member could table a motion, and the matter could be fully investigated. And he meant to say this: that notwithstanding that there was a majority in that House which, as majorities usually had, had its own will, he thought there was sufficient fairness amongst honorable members to see that right was done. He did not think all the honor was on the side of the minority.

Mr. WHITAKER said the honorable member for Auckland City East had introduced his name in reference to a land transaction without any kind of reason. He had stated that the Minis-

try had permitted Messrs. Whitaker and Russell to purchase the Hungahunga Block at an unfair price. That statement was absolutely false. The honorable gentleman made the statement without the slightest ground whatever. He had stated before in that House that he had not purchased Native land; and why the honorable gentleman repeated the statement over and over again, he could not understand. Any man who made an assertion without having fair grounds on which to rest it, was as guilty as a man who absolutely made a statement knowing it to be incorrect. The honorable gentleman ought to be more careful. He had introduced every sort of subject into his speech. He had introduced Native law, abolition, and the disqualification question—that members had been placed back in their seats in this House after they had been forfeited. He (Mr. Whitaker) had stated all through that those seats were not forfeited, and he was still prepared to prove the correctness of that statement. And when the honorable gentleman talked of disqualification, was he quite sure that he was not disqualified himself? Had he any recollection of a document that was now filed in the Supreme Court at Auckland; and would he look into the Constitution Act and then say whether certain persons under certain circumstances were not disqualified? Would he tell him (Mr. Whitaker) that a document which had been in the Supreme Court of Auckland for a considerable time, and not acted on, did not disqualify him? He would not have made any reference to this matter but for the assertions of the honorable gentleman, who so freely scattered charges all round the House. It was usual, when an honorable gentleman made an assertion, to take that assertion as correct. He had already asserted that he had nothing to do with the purchase of Native lands. The honorable member had made the assertion over and over again, and he had made it again to-night. He (Mr. Whitaker) had allowed the assertion to pass on more than one occasion; but when it came to be repeated so frequently as it had, he thought it was quite time to say something on the subject. He would simply point out that the honorable gentleman should be quite clear before he made charges against other people. He (Mr. Whitaker) was quite prepared to prove what he had said; and if the honorable gentleman wished to deny it, he could produce the evidence necessary to substantiate his statement. Now, he would say a few words with regard to the question before the Committee. The question was whether or not this vote should be reduced by £10,000. It appeared that the vote had been reduced considerably during the last few years, and it was one which might gradually be reduced from year to year; but he did not think it should be done too hastily. Considering all the circumstances, he thought it would be imprudent to reduce the vote too rapidly. On looking over the items, he observed that a reduction of £5,000 or £6,000 had been made this year. He thought on the whole that that reduction was a reasonable one. The reduction might go on from time to time, but it would be a very great mistake indeed if it were

done too hastily. It was very dangerous ground to tread upon. The honorable member for Rodney should have pointed out the particular items in which he thought reductions could be made, but to say simply that one-half the vote should be taken off was a most unreasonable thing to do. Were they going to take off the medical men attending the Natives, or were they going to take off the Magistrates? He thought it would be unsafe to take off any of those items at the present time. Reductions might be gradually made, but it would be unsafe to adopt the course proposed by the honorable member for Rodney. From 1862 up to the present time, he thought nothing could be worse than the vacillation that had been going on in reference to the purchase of Native lands. At one time there was the greatest freedom allowed; at another, the greatest restrictions were imposed; and then there was freedom again, and again restriction. Having made a law foregoing the Queen's right of pre-emption—he was not saying whether it was a wise thing to do or not—it was a great mistake not to adhere to it, and thus have obviated a great deal of the inconvenience that had arisen. They would not make any real progress in Native affairs until a proper Native Lands Act was put on the Statute Book, and until the Natives were allowed freedom to deal with their lands. He did not desire to prolong the discussion. He would ask the Committee to be cautious in what they were doing; they were treading on difficult and dangerous ground, and they should not be too hasty. They might point out particular items in which reductions might be made, but it would be very imprudent to attempt to reduce the vote by £10,000, as proposed by the honorable member for Rodney.

Mr. REES challenged the honorable member for Waikato to say that his hands were not perfectly clean in regard to any matter whatever, or to find any document in the Supreme Court or anywhere else that would disqualify him from being in this House or in any other position. He would not ask that an Act of this Assembly should be passed to save him from what he did. Honorable members might be perfectly sure of that. With regard to the statement of the honorable member for Marsden, the honorable gentleman had no right to say that the Committee of the Provincial Council of Auckland had no power to commit Major Green if he refused to give evidence. The matter was brought up in the Council, and a strong debate took place on Dr. Pollen's conduct in sending such a telegram. He had not heard the honorable member for Waikato state that he was not connected with the land purchases referred to. The public documents and despatches contained the names of Messrs. Whitaker and Russell.

Mr. WHITAKER said his name was never mixed up with it; he had nothing whatever to do with it.

Mr. REES said if the Government allowed one man to buy these lands, and another man's name was mentioned incidentally in connection with the matter, that did not make any difference. If he had used the name of the honorable member

for Waikato wrongly, he apologized to him for doing so; but he did not excuse Ministers for doing what was wrong. If he had heard the honorable gentleman state that he had nothing to do with the transaction, he should not, of course, have mentioned his name. If there was anything the Ministers could seize upon in connection with his (Mr. Rees's) conduct, they would not have been slow in taking action.

Mr. SWANSON said it was not necessary that they should indulge in personalities in discussing matters connected with the Native lands. The honorable member for Marsden had made some allusion to what had taken place in the Committee of the Provincial Council. He (Mr. Swanson) was a member of the Committee, and he would state why the Committee did not bring the matter before the Council, and get the Speaker to send Major Green to gaol. The Committee had no doubt about the power of the Speaker to send the witness there; but if he had been sent to prison, there was not the least doubt but that the General Government would have sent an order for his release. That would have given rise to an unseemly squabble between the Provincial Government and the General Government. The former would have had the worst of it, and would have been set at defiance. He believed the honorable member for Marsden was quite serious in making the motion he did. The Committee talked the matter over, and resolved that no good would result from adopting that motion.

Mr. HUNTER said the honorable member for Auckland City East had made reference to some matters connected with Te Kooti's career, and about that chief having been sent to the Chatham Islands. Sir Donald McLean was not a member of the Government when Te Kooti was sent there, or when he returned from the islands.

Mr. REES.—I did not say he was.

Mr. HUNTER.—The honorable member made a charge against Sir Donald McLean.

Mr. REES.—Pardon me, I did nothing of the sort. I spoke of the conduct towards the Natives.

Mr. HUNTER said the inference to be drawn from what the honorable gentleman said was certainly that he reflected upon Sir Donald McLean for the part he took on that occasion.

Mr. REES.—There could be no such inference.

Mr. HUNTER said the honorable member should conform to the rules of the House, and not remain standing while another honorable member was addressing the Chair. The charge was made clearly and distinctly, and the inference was that what happened then was the consequence of Sir Donald McLean's action. Such was not the case. He would now refer to the general question. As one of those who had lived in this country for many years, and whose recollection was clear of the circumstances that occurred in the colony from first to last, and knew that gentleman's career, he would say there was no man in New Zealand to whom the colony owed more than to Sir Donald McLean. Let honorable members contrast the present position of the colony with what it was five or six years ago, ten or fifteen years ago, or even some twenty years ago. Many of those present would

remember that, when hostilities commenced in Taranaki, Sir Donald McLean was an invalid in Wellington, and could not leave. He was one of those who believed that, had Sir Donald McLean been at New Plymouth at that time, much trouble and many trials would have been avoided. As soon as Sir Donald McLean could leave his bed, he went there and entered into negotiations. Within a very few days, William Thompson, the great chief, gave the word to his people, "Return to your homes;" and from that time forward, on every occasion Sir Donald McLean had been foremost in doing all that he believed to be in the best interests of the colony. It was impossible to understand or appreciate the services he had rendered to New Zealand. Any one who had had dealings with the Natives must know what a worrying and tiring thing it was to go through all their forms and ceremonies. Those who had not experienced it could hardly imagine it, but the Native Minister had gone through all that over and over again; and he believed that no man in New Zealand had ever acquired such influence over the minds of the Natives. He had obtained an influence which no man from the earliest days of the colony had been able to acquire; and he had done that by gaining the esteem and respect of the Natives. That had been secured by being firm at the same time that he did them justice. He (Mr. Hunter) was one of those who had peculiar views respecting confiscation. He had never thought the scheme of confiscation was right or proper, and he had never hesitated to say so. It was the thing above all others which in this island had complicated the settlement of the Native lands question, and had retarded it for many years. It had been most difficult to reconcile the confiscation of land with Native ideas of justice; and it was a difficult thing for any well-constituted mind to understand why large blocks of land should be taken in certain districts from the whole mass of the Natives, a considerable portion of whom had probably never done anything to warrant such a proceeding. That, he believed, shook the confidence of the Natives in us more than anything else, and we had been by slow degrees regaining their confidence. The sum of money the Committee were disputing about was trifling, and appeared to him to be utterly insignificant and unworthy of consideration. The Natives contributed largely to the revenue of the colony. There were large numbers of them: they behaved well, as they always had done from the earliest days the Europeans came amongst them; and he did not think it was doing justice to ourselves, or justice to the Natives, to appear in the slightest degree to wish to diminish a vote which was for their good. Personally, he would like to see the money proposed to be voted for schools trebled, and the salaries of the masters increased. The schools, he believed, were productive of much good. Their object should be to make the Natives producers and consumers; but formerly, when the Natives were in larger numbers, it had been proposed to destroy and annihilate them. He would not have spoken on this question; but he thought that justice to Sir Donald

McLean required that some of those who had lived in the colony from its earliest days should award praise to him, and also to the Natives with whom he had been so long and intimately associated.

Mr. BAIGENT was at a loss to understand the observations of the last speaker. While not wishing to run down Sir Donald McLean, he remembered a circumstance that occurred in his career some few years ago. Sir Donald McLean was then an officer under the Government in Hawke's Bay; and he then persuaded a number of Natives, who were prepared to go to Patea, to remain at Napier. At the time he referred to, the honorable member for Timaru was at the head of the Government, and Sir Donald McLean got his dismissal because he was trying to thwart the policy of the Government. Was that anything to the credit of Sir Donald McLean? That was the time when the forces were on the West Coast, when Von Tempsky and others were killed. Sir Donald McLean then kept back at Napier Natives who were willing and anxious to go to the West Coast. Was it anything to his credit to do that, in direct contradiction to the ideas of the Ministry of the day? The honorable member for Wellington City would not, he thought, say all honor to Sir Donald McLean for the part he had taken in this matter. Millions had been spent in purchasing peace, and that night they had heard an honorable member say what the result of proceedings would be at Napier. Millions had been paid away to satisfy the Natives, and to purchase peace; but there would be no lasting peace until the Natives were governed under the laws of the country in a proper and constitutional manner. At that time, had proper help been given to Colonel Whitmore, the neck of the war would have been broken, and in six months a peace would have been secured without the expenditure of millions.

Major ATKINSON said it was a pity the honorable gentleman should have opened a question which was settled years ago. He did not know what the honorable member's object was, and he thought he would regret having introduced a subject which could be of no possible benefit at the present time. The Committee were now considering the Native estimates, and not a vote of confidence in Sir Donald McLean.

Mr. BAIGENT had been alluding to the remarks of the honorable member for Wellington City.

Major ATKINSON said the honorable member's remarks did not in any way answer those of the honorable member for Wellington City. There was no doubt that Sir Donald McLean had an exceedingly good defence in the case the honorable member referred to. He wished simply to explain to the Committee with reference to Major Green being summoned before the Auckland Provincial Council. The ground the General Government took up was this, that the question of land purchases was to be decided by this House, and not by the Auckland Provincial Council. If charges were to be made against Ministers in respect of buying land, this House was the body to investigate them, and not the

Auckland Provincial Council; and therefore they declined to allow their officer to be examined upon questions of land purchase before that Council. They were of opinion, whether rightly or wrongly, that it was a matter for this House to decide. With regard to the remarks of the honorable member for Auckland City East, respecting the wrong-doings of the Government, he did not intend to enter into all the questions raised by the honorable gentleman, but he could not allow the statements to go uncontradicted. He gave an absolute and complete contradiction to all the honorable member's statements with regard to the Government being guilty of any transaction of which any honorable member would be ashamed. Ministers had challenged the honorable gentleman repeatedly, and now challenged him, in this or the next session, to take up a case and go into it; and the honorable gentleman's case would have to be bad, indeed, if a majority of the House would not listen to him. Personally, he was sure that the country would not believe in any charges if a majority of the House said they were not such as the honorable member represented them to be. The honorable gentleman was not only vilifying Ministers, but he was vilifying the House; for he represented the House as dishonest, and that was a position which no honorable member ought to take up. He hoped the honorable member would not persist in doing so, unless he would select some particular charges for inquiry and bring them before the House next session, and not content himself with mere assertions. Every specific charge which had been made had absolutely fallen to the ground, and he hoped honorable members would cease this blackening of each others' characters; and that, if they believed there were grounds for serious charges, they would be made in a serious way, and made specifically. He, for one, believed the House would deal with them as they ought to be dealt with, and as they would be dealt with by any honorable gentlemen. He hoped the Committee would not go into questions of land purchases; but he was bound in justice to say what he had, so that it should be on record as against what the honorable member had said. With regard to the question the honorable member for Newton asked about salaries being paid from revenue instead of being placed on the Civil List, he had explained, in the beginning of the evening, that the whole of the salaries had been placed upon the estimates instead of a large proportion being upon the Civil List. He showed that there would be available, out of the Civil List and the vote for General Contingencies, a sum of £5,400, and that included the whole. Last year, there was over £10,000 available for General Contingencies, and this year there was only a little over £5,000. Therefore there would be a saving on this vote of £5,000.

Mr. SWANSON said the Premier had told them about Major Green: would he also tell them why the Resident Magistrate at the Thames was prevented from signing that particular document?

Major ATKINSON said he knew nothing of

that case. If the honorable gentleman would ask the question, he would let him know to-morrow.

Mr. JOYCE thought it was time they came back to the question before them. With regard to the vote, he would say that, for the first time since there had been a Native Department, the Committees had had separate items of expenditure placed before it. That, in itself, was a great step in advance; and this year they might rest satisfied with having attained so much. There were, no doubt, many honorable members besides himself who had looked over the items hastily to find the different payments, and the different branches of the service; and perhaps honorable members would bring to bear on the subject their own knowledge and experience, and next year be able to suggest where reductions might be made. There appeared to be a great diversity in the payments. One Resident Magistrate received £500; another, £200. One Assessor received £50; another, £250; and another, £300. The payments evidently required some equalization. But to make a sweeping reduction, such as that suggested by the honorable member for Rodney, would, he felt convinced, not be judicious at the present time. Some reduction might be possible—he did not know; but having the list of the officers and the payments before them, honorable members, next session, might be able to suggest really practicable reductions. He did not think the honorable member for Rodney would be gratified if his proposal were adopted, and a sweeping reduction made in a department upon the smooth working of which so much depended at the present juncture.

Sir G. GREY would like to say a few words on this question. First, the Premier represented to them that the state of the Native population at the present moment was satisfactory in every possible way. Now, he (Sir George Grey) had had a long experience in this country, and he had never known the state of the Native population to be more unsatisfactory in many respects than it was at the present moment. There could be no doubt whatever that, for the first time almost in our history, very sad murders had been committed, under circumstances of, he would say, great atrocity and considerable daring; and it was equally certain that the murderers were protected close to our immediate frontier, the persons who protected them having received presents. Those Natives had, in some respects, been encouraged; and the Native Minister had visited the Native King under very unusual circumstances, and had actually solicited the so-called Native King to admit the Governor to his presence. Not only that, but at the present moment the Natives were in arms defending their land against a regular process of the Court within a few miles of a flourishing European settlement. Nothing could be done to settle that disturbance; and he could only say that his time had been greatly occupied by Native friends of his own from all parts, completely deluging him with complaints. That was the first remark he wished to make. Then he would very earnestly implore the House to lay down one rule for the future; and that was, that no person should be allowed to hold the office of

Native Minister, or any office in the Native Department, who was himself occupied in private purchases of lands from the Natives. That should be an essential rule. His sincere belief was, that by the Native Minister and by persons in his department the Natives would be stripped of almost the whole of the reserves which had been made for them, and which had now risen to a very great value. Now, he could not, in that respect, be said to be making statements without proof; because the Native Minister himself had admitted, in the House, that he was engaged in such purchases of reserves. The late Premier defended it at the beginning of the session, and went to the extent of saying he thought that he (Sir G. Grey) was disappointed at not being able to make such good purchases himself, or something of that sort. He believed that not only at Napier, but also at Tauranga, the Natives were being stripped by degrees of all the reserves that had been made there for them; and he believed that at the present moment operations of that kind were being carried out. Now, these things were all done with the knowledge of the Government. The Premier could not deny that. They were done with the knowledge, assent, and, he might say, with the assistance of the Government, inasmuch as they made themselves really parties to the transaction, by allowing gentlemen to remain in high office who were engaged in transactions of the kind. He would put it to the House, what would be said if they were investigating the history of South America in former times, and they found that the population there had been stripped of the reserves made for their future welfare, when they had parted almost with the whole of their other landed possessions, if they had been so stripped of them by persons paid highly by the public to take care of the interests of the natives—by persons who possessed peculiar information, who had the power of spending large sums of money upon the natives and amongst them, necessarily acquiring very great influence? He said very large sums, because, taking the sums given for land purchases, the sums allowed for the expenses of the Native Department really amounted almost to £1,000,000, which was expended at the will of the individuals in that department. Supposing they found, on investigating the history of that country, that gentlemen having these great sums of public money at their disposal—these great means of influencing the natives—had stripped them of all that provision which had been providently made for them and their descendants, and had realized enormous fortunes in some instances by so doing, would they not view with reprobation the Government which had permitted such things to be done? Would they not think it was a blot upon the history of the country? He thought they would; and he thought that, although a temporary majority in the Legislature of that country might have borne the Ministry out in that proceeding, that would not save the Ministry from ultimate reprobation. Supposing that in the United States at the present moment, —and he had some knowledge of that country—

the gentleman in charge of the management of Indian affairs were to embark himself in purchases of that kind of land from the natives, what would be the feeling throughout the whole of the United States? He would stake his existence that that man would earn shame and obloquy, and that the Government which supported him in it would be looked upon—well, with scorn and with horror by the whole of the population of the United States. He asked the Government to pause in the career upon which they had entered; and, if they were to vote these sums, to lay down positively the rule that no gentleman should hold office, either as Native Minister or in any capacity whatever in the Native Department, who had engaged himself in private land transactions with the Natives. That they were so engaged could not be denied. It had been admitted in the House. The honorable member for Newton had told them to-night that, when he had expressed views such as he (Sir George Grey) now expressed, an officer of the Native Department gazed with wonder at him, as if a new doctrine had been promulgated. Such a doctrine as he now asked to be adopted was that which the House should adopt, and should enforce and insist upon being enforced. There was no hope for the Native race, no hope for the honor of the House, under the present system; and he did ask the Government to reflect upon the course upon which they had embarked, which they were pursuing, and which must lead to their own destruction and discredit, and which they should instantly abandon. Let them abandon it instantly and at once. They might yet save themselves; they might yet save the Natives; they might yet save this country; and they might yet save the House from some of the disgrace which they had entailed upon it, and were still continuing to entail upon it. One other point only he would allude to. He should have divided his remarks into two heads. If he was correct in his statement that these Native affairs were not in a satisfactory condition, then reductions in the expenses of this department should be made with the very greatest caution; otherwise disasters would take place. That was the first point. Then he would say as part of that, that he thought the expenditure upon schools should, if anything, be increased and not diminished. He did not believe that anything satisfactory was at present being done with the Native schools. Until better salaries were paid to the schoolmasters, and a better class of persons were selected, they would do no real good to the Native race in that direction. He believed that to send an inferior class of persons amongst them—addicted, for instance, to drinking, as they had been told to-night—to send such persons into their villages as schoolmasters was to do more harm than good. No more noble task could be entered upon than that of putting these schools in a sound and broad state; and he hoped the Government would rather reduce the number of schools, and increase the efficiency of those they left, if they could not obtain sufficient means to put all the schools in a thoroughly satisfactory state.

Mr. ORMOND said the honorable gentleman who had just sat down had stated that in his opinion the state of the Natives at the present time was exceedingly unsatisfactory; and the honorable gentleman, in instancing that, referred to the murders that had been committed by Natives during the last few years, and he presumed the honorable gentleman meant during the term of office of the Native Minister. Deeply as they must all regret that such things were, and would most likely continue to be, common to a country situated such as this, was it a peculiarity of the time during which the present Ministry had been in office? Had not the same thing happened from the earliest time? Did not such murders happen before the honorable gentleman came to the colony as Governor? and did murders not occur while he was Governor? He could not agree with the honorable gentleman that there had been evidence in that respect of any unsatisfactory relations between themselves and the Natives. He of course knew as well as the honorable gentleman did that there had been murders, including that of Mr. Todd and others; but they were misfortunes which were incident to our relations with a people such as those with whom we resided. Generally speaking, he could not agree with the honorable gentleman that the state of the Native districts in the colony was unsatisfactory. For many years the only portion of the country which had really given great anxiety to the European population had been the Waikato; but, so far as their relations with that part of the country were concerned, they never were more satisfactory than at present. If the Native Minister were present, he would be able to tell the House that he was in constant communication with Tawhiao, who was the recognized chief of that part of the country; and he hoped at no distant date, to have a meeting with him, when arrangements satisfactory to both parties would be made. The honorable gentleman gave them another instance of their unsatisfactory relations with the Natives, and made use of the expression that the Natives were in arms against the law close to the town of Napier. He could assure the honorable member he was entirely mistaken. Nothing of the kind had happened, and, so far as he knew, nothing of the kind was likely to happen. As this had also been referred to by the honorable member for the Eastern Maori District, he hoped the House would allow him, as he knew the circumstances, to tell them something of this particular case. About a fortnight ago, or perhaps a little earlier, he was asked by the Native Minister if he had heard of an armed party, led by the chiefs Tareha and Renata Kawepo, taking possession of the disputed Oamaranui block of land. He replied that he had not heard of it. As this was a district in which he had been acting as Government Agent, he said he would make inquiries. He telegraphed to Mr. Locke for the Native Minister, and, without mentioning Oamaranui at all, he said, "Will you go up and see these two chiefs, as I understand there is something with which they are dissatisfied; and let me know what is going on." Mr. Locke was absent at the time, and he (Mr.

Ormond) did not get an answer to his telegram before he left for Napier three days afterwards. When he arrived there, he met Mr. Locke and asked him, "Have you seen these people?" He replied "Yes," and in reply to further questions said there was nothing particular going on. Tareha was in his pa; there was nothing particular said; and he did not mention anything about Oamaranui: so that this disturbance, which was talked of in Wellington, was not heard of in the district where it was said to have taken place. It was not until some two or three days afterwards that Mr. Locke, going out there, found that Oamaranui was creating some disturbance among the Natives. He did not hesitate to state his opinion—and he knew it was a correct one—that this disturbance had been fomented entirely by Europeans who professed to be friends of the Natives. Now, what did take place, and what foundation was there for the statement that the Natives were up in arms? Mr. Locke on his second visit saw both Tareha and Renata, and found they were dissatisfied and wished to keep possession of the block in dispute. The case of this land had been referred to the Supreme Court and to the Court of Appeal, and in both cases a decision was given against them. It must be borne in mind that the Natives in Napier were appealing very largely to the Courts of law, and in other cases much more important judgments had been given in favour of the Natives. Well, Mr. Locke saw Tareha and reasoned with him about disputing the decision of the Supreme Court, and his words had some weight with Tareha, but he did not altogether concur. He said the decision was unjust to the Natives, and he was dissatisfied. The other chief, Renata, after being reasoned with, at once expressed his assent, and said, "I distinctly recognize the fairness of what you say to me. Not only do I think that the course taken by my fellow Natives is wrong, but I will use my influence to prevent any difficulty arising out of it." Now, had there been any armed opposition, as the honorable member for the Thames was pleased to say there had been? A day or two after Mr. Locke had this interview, the Sheriff went out, ordered by the Supreme Court to take possession of the land. He went out with an interpreter and one police-officer. On arriving at the ground, he found no persons in arms at all. He found about forty Natives sitting on the ground, but they had no arms or anything of the kind. They were headed by Henare Tomoana, the brother of the honorable member for the Eastern Maori District. Henare Tomoana asked what they wanted, and on being told he said, "No—you shall not have the land. I am here to prevent any one getting possession of it, and you had better go home." The Sheriff said he would not go home. He said he hoped that they would consider the matter—that they were bound to obey the law; and that he wanted to carry out the order of the Supreme Court. He waited three or four hours, and, as the Natives then gave the same answer, he returned to Napier. That was all the foundation there was for the statement of the honorable member for the Thames, that there was armed resistance at

Hawke's Bay. Had the Natives not been encouraged to resist the law, they would have gone off this land long ago; and he had no doubt that before very long they would go off the land. He trusted the House would agree that the Government were taking a good and judicious course in this matter. It would be folly to take any hasty measures when a little patience would bring about safe results. He was sorry to hear the honorable member for the Eastern Maori District speak in the way he had to-night, because he had been among the Europeans sufficiently long to know that injustice sometimes arose even from the actions of the Supreme Court; and he knew as well as any European that it was quite possible to get the worst of it in the Supreme Court, even when the claimant thought or knew that he was right. He was sorry, therefore, to hear the honorable gentleman make the speech he did, because he was giving very bad advice indeed to his people, and taking a course which he was satisfied would not commend itself to them in the long run. He thought there was nothing to be alarmed at in this Oamaru affair; and he thought that such statements as had been made by the honorable member for the Thames, coming from a gentleman in his position, were only calculated to do mischief to the colony. Another point the honorable gentleman mentioned was with reference to reserves of the Natives being sacrificed in different parts of the colony. Now, that was a very general statement; and if he did not misunderstand the honorable gentleman, he referred to some reserves which he said had been acquired by his honorable friend the Native Minister. If he did not misunderstand the honorable member's statement, he could give it the most absolute contradiction. His honorable friend the Native Minister had not bought a single acre of reserves; and therefore the honorable gentleman ought not to have made that statement. The honorable member also spoke of those persons in the North Island who had got large estates purchased from the Natives, and the honorable gentleman often spoke of them as persons to be held up to public opprobrium.

Sir G. GREY.—I said nothing of the kind.

Mr. ORMOND had, then, misunderstood the honorable gentleman. That was his understanding; and he was going to say—and the honorable gentleman knew it as well as anybody—that those who had the misfortune to purchase lands from the Natives had been unfortunate ones. The fortunate had been those who had bought from the Crown. In ninety-nine cases out of a hundred, more had been paid for the land bought from the Natives than that bought from the Crown. The holding had been more unsatisfactory; and at the present moment, owing to the agitation which was produced, not by the Native feeling, but by the teaching of our own people, any title derived from the Natives had an immensely depreciated value as compared with the title derived directly from the Crown. If the honorable gentleman had not made that statement now, he had very often in speeches which he had delivered to the House; and this was his (Mr. Ormond's) opinion, and would be the opin-

ion of any one who had anything to do with land in the North Island as a North Island settler. He would only reply to one part of the speech of the honorable member for Auckland City East. The honorable gentleman was good enough to refer generally to what he was pleased to call the wrong transactions of settlers in Hawke's Bay in regard to land. He would give the honorable gentleman this answer: that there were no new cases in Hawke's Bay; that these cases of alleged injustice by the Europeans to the Natives took place a great number of years ago, and before the Commission sat, which was composed of Judge Richmond, Judge Maning, and Native Assessors. Every case the Natives could bring forward was at that time inquired into by the Court. He could not quote the exact words of Judge Richmond's report; but in general terms the decision of the Court was that they were unable to point to any case in which there was unfairness. In the great majority of the cases the decision of the Court was entirely in favour of the European purchasers. That was the best answer to the honorable gentleman's vague charges, which were unsupported except by his own assertions. The Committee had heard that evening from one of the Native members his opinion as to the Native Assessors. That had been answered, to a great extent, by the Premier, who told the House when these Assessors were appointed, and that very few had been appointed of late years. He would merely now refer to the assertion of the honorable member for the Eastern Maori District that these Assessors were people of no position. He did not know the names of the Assessors in many districts, but he had in his hand a list of those in the Ngatiporou tribe, of which he knew something. He found there the name of every principal chief of the tribe as a Native Assessor—men infinitely above the honorable member, both in position and everything else. There was Mokena Kohere, a member of the Upper House; Ropata Whahawaha, the man who fought so nobly on our side; Hotene Pororangi, the honorable member's antagonist for a seat in the House; Whikiriwhi, another chief from the East Cape; Henare Potae, and some others—all the principal men of that tribe. In the Taupo District, he knew of Pohipi, chief of Taupo; Hohepa Tamumutu, the second man in the district; and Rawhiri Kawhia. He did not think the Natives would say these were not leading men; and no doubt the same thing would be found in running down the list. Therefore the assertion should not be made that the list of Assessors was composed of persons of no position, and who were mere hangers-on of the Government. He would like to have said something more upon this Native question generally, for it was one in which he took great interest; but the hour was late, so he would only refer to the proposal of the honorable member for Rodney, which, as he took it, was that this vote of £22,332 should be reduced by £10,000. If that proposition were carried, it would simply mean that these Assessors and all other officers in the Native districts should bear their share of the reduction, and, as four months of the year

had already passed, that the Native Department should be got rid of altogether. He did not suppose the House was ready to take that course. The members had generally acknowledged that there was evidence of retrenchment in this department, and that evidence should be accepted by the House, who should look to the Government coming down each year with a gradual reduction in the estimates. The House had been told by the Premier that the Native Minister intended at no very distant date to retire. He could not help saying that, when Sir Donald McLean did retire, he would leave a position which it would be very hard to fill up. He was not going to argue the question of whether that honorable gentleman's policy was the best or not, but would simply say it was the policy which the colony insisted upon, and Sir Donald McLean was put into office to carry it out. That gentleman had been in office a great many years. During that time the colony had peace; and if he left it now, he would leave the colony in a very different position from that in which it was when he and his colleagues went into office. He had often thought that, if there had not been peace in the country when the Public Works policy was in progress, it would have been impossible to give effect to that policy. That was one thing which should be remembered when speaking of the services of the Native Minister. It was absolutely necessary that the country should be at peace, or there would have been little hope of obtaining money in the London market. There was no doubt that the government of the Native Minister had been to a considerable extent a personal government; but the House selected him because he had that influence with the Native people which made him of service, and necessary to the colony. It was equally certain that, whenever his retirement took place, that sort of government would have to be abandoned, because no one else in the colony could take up the position which Sir Donald McLean had occupied. The colony was beginning to see that there should be what the honorable member for Avon spoke of as government of the Natives by the ordinary laws of the country. The House, in wishing to pass to that change, must remember that it was passing to something which it would be very difficult to introduce; and whoever had to bring it about would have to be very careful in weaning the Natives from a state in which they were accustomed to seek on all occasions the advice of a Minister, who, from his knowledge of the Natives and their feelings, was able to speak to them and influence them in a way in which very few people in the country could do. The House must recognize that, if that state of things stopped, it would be altogether a change in our relations with the Natives, and it was a question whether at first there might not be very considerable discontent in some sections of the Natives. He believed it was a change which was necessary—a change which the altered circumstances of the country had forced upon the consideration of the House.

Mr. JOYCE had listened with very considerable surprise to the direct and flat denial given

by the honorable gentleman who had just sat down to the statement of the honorable member for the Thames. He listened to it with surprise and pain, because both those honorable gentlemen were, in his mind, equally truthful, and must both have been convinced that they were speaking what they felt to be correct. It brought to his mind that, as a Southern member, he knew nothing of these matters, but that the charges made against the Native Minister were believed in the part of the country from which he came. Being anxious to obtain some information on the subject, he had, when he first came up to the session, drawn up a notice of motion, which, however, he had not moved, because he thought, in his inexperience, that the return he wished to obtain was not in the power of any one to give. He would read what he had written. It was to move for a return "showing the nature and extent of the Native land transactions in which the Native Minister has or has had a pecuniary interest, including amounts paid or to be paid by way of consideration." He thought the opposite statements which they had heard that night would suggest the desirability of some such return being prepared, in order to satisfy the public mind either one way or the other. It was, perhaps, too late in the present session to do anything in regard to the matter, but some steps might be taken next session.

Sir G. GREY rose to make a personal explanation. He thought the honorable member for Clive had sufficiently proved that there were armed men at Hawke's Bay. Anybody who knew anything about Maoris must have known that those forty Maoris had their arms concealed about them. The honorable gentleman had altogether diverted the attention of the House from what he had said with regard to the purchase of Native lands by officers of the General Government. He had gone off into the question of purchases by Europeans generally. He (Sir George Grey) had not raised that question at all. The honorable gentleman knew perfectly well that the Native Minister and other Government officers had made large purchases of land from the Natives, and he had made a play upon the word reserves, which he (Sir George Grey) could not quite understand. The honorable gentleman could not deny that those gentlemen had purchased estates which had been reserved for the Natives there. The Native Minister had admitted it himself.

Mr. RICHARDSON.—Hear, hear.

Sir G. GREY.—He was really surprised to hear the Minister for Public Works say that. He thought it was dreadful that the affairs of the country should rest in the hands of those who could see no harm in men who had the power vested in them of spending large amounts of public money, men who were vested with the influence which their offices gave them, men who were bound to look after the interests of the Natives, purchasing land from the Natives. He was certain that, whatever the feeling of the Ministers might be now, the verdict of posterity and of all right-thinking men of the present time must be against transactions of that nature.

Mr. TAKAMOANA rose to explain a question which had been asked by the honorable member for Clive. The honorable gentleman was quite right in referring to the matter; but let the honorable member tell the House all about it. He was the person who was returned for Napier. He (Mr. Takamoana) had received telegrams telling the Natives to leave that land and go to another place. The Government said that if the Natives did not go, they would send soldiers to drive them away. It was true that Henare Tomoana said he would not be afraid, but that if the soldiers went up he would fire upon them. In fact, Henare Tomoana said, "Let this place be for the Natives." That telegram had been shown by Major Kemp to Sir Donald McLean, and he had shown it to Sir George Grey. That was all he had to say about what the strange member asked him. He would now refer to what the Premier had said. The Premier had said that he was mistaken in accusing the Assessors of ignorance; but he did not refer to the whole of them. Some of them were persons of low degree, who were not able to take their part either in fighting or in business of any kind. They were not able to do anything at the time of fighting in Napier in the way of putting a stop to it. He found that Tareha, who had been appointed an Assessor by Sir George Grey and Sir Donald McLean, had sold all the lands that had been reserved for his people to the Native Minister; in fact, all the lands belonging to Tareha's tribe were in the possession of Sir Donald McLean, and Tareha had no land left. The reserves had all been made in the first instance in the name of Tareha on behalf of his tribe. They were Crown-granted to him, and Sir Donald McLean had bought them. Therefore he said that such a person as this was ignorant. If he had been a chief, he would not have allowed himself to be placed in a subordinate position to Sir Donald McLean. He (Mr. Takamoana) was taken away by Sir Donald McLean, and they were to go round the colony. They went to Wanganui and Rangitikei; but he saw that that was an ignorant mode of proceeding, and he did not stop with him, but went home again; and it was when he got home that what he had referred to took place. That was all he had to say with reference to the statement of the Premier. He would not refer to what had been said by the honorable member for Clive. It was not he alone who objected to him. He was objected to generally by all the people in the district. He (Mr. Takamoana) had some land which was leased to Mr. Ormond, and the lease was dealt wrongly with—in such a way as to do him harm. There were plenty of people at enmity with that gentleman on account of the lands which he had. It was through the improper purchase of the land that Mr. Sutton went to drive the Maoris away, and the latter were given so many months' notice to clear off. When the time of the notice expired, Mr. Sutton went to drive the people—about thirty in number—away, and he (Mr. Takamoana) saw him, and spoke to him, and suggested that he should go back. He told Mr. Sutton that, though he might read out his deeds and leases, he would

take no notice of them, and that, though the Court might have decided about the land, he would not give it up. He told Mr. Sutton, "Go and take the people and kill them; for until you have done that you will not have the land." On the following day he went to Napier, and told Mr. Ormond what had taken place between Mr. Sutton and himself; and he afterwards saw Mr. Gillies, the then Superintendent of Auckland, and spoke to him about it also. He did not know when the case was taken into the Supreme Court first, but he told Mr. Russell and Mr. Gillies that if he had known it was to be taken into the Court he would not have agreed to it. He was led to believe that the land in question belonged to him and his tribe. Afterwards the Supreme Court was had recourse to. He did not believe in the Land Court, because the laws of that Court were not satisfactory to him. As for the Supreme Court, he could not understand it. He could not understand the composition of the Courts, or the laws which regulated them. He did not know about that; but his land was all gone; and the reason he had not had recourse to the Supreme Court but had come to Parliament, was to try and get it back. He would leave only those on the land who had purchased fairly; but those who had robbed him he would not leave there. He would rather be killed on the land than have it taken from him altogether. If any stranger came there to see the country, they would ask, "Where is the land of the Maori?" Let all who heard him go and see the land there was left. The Native Minister said formerly that there were so many hundreds of thousands of acres in Hawke's Bay. At that time he said it was not true. There was no land. He had referred to this matter to-night because he had heard that Mr. Locke and Mr. Hamlin were trying to get these Natives to go off that land. The Maoris say they have only one word—and that was, that the place shall be their grave. They will be killed there; they will not walk off the land. That was why he had referred to the matter to-night.

Mr. TAIAROA wished to say a few words, because the matter had become somewhat confused on account of the land question being introduced into it. The question before the Committee was as to the salaries of the Magistrates and Assessors, and the money to be voted for them. He heard about this Napier affair before he went to Otago, and was told about it by Karaitiana and Major Kemp. They then agreed to go and see the Native Minister, to prevent the Europeans going on the land. They asked the Under Secretary to appoint a time when they could have an interview, and they heard on the same day that the Native Minister had been taken ill. About the same time he went to Otago, and he thought that perhaps the matter would be settled while he was away; but he thought now that some time ought to be given during this session, when the whole subject might be gone into. It was not right to introduce it to-night, as the hour was late. They should, as he suggested, appoint a special time for discussing the matter, so that everybody could take a part in it. As to the Native Assessors, the

honorable member for the Eastern Maori District said the Assessors appointed by the Government were ignorant and of no account. The honorable member did not refer particularly to the Assessors in his own district, but to all Assessors. Now he (Mr. Taiaroa) knew that all the Assessors that had been appointed by the Government from the Ngapuhi had been selected by their chiefs from the respective hapus; and all the Assessors that had been appointed in the North, from the North Cape to Auckland, were chiefs. Very few people of inferior degree had been appointed by the Government. The Assessors at Waikato and Thames, Major Te Wheoro and Taipari, those at Wanganui, Major Kemp and others, were chiefs. There were none higher in rank than they were; and those at Napier, Tareha and Renata, were also chiefs. But these people were not appointed by the present Native Minister. They were appointed by previous Administrations and by Sir G. Grey. Most of the Assessors in the Middle Island were appointed before Sir Donald McLean became Native Minister, and others he (Mr. Taiaroa) had got appointed since he had been in Parliament. The great bulk of the Assessors were appointed long ago; they were people who had a knowledge of the affairs of their hapus, but they were not supposed to have a great amount of information about other matters outside. People wanted to know what these Assessors did. They did a great deal of good which could not be done by European Magistrates. They settled a great many disputes among themselves in their own runngas. He was not in a position to say what they had been able to do in putting down fighting, because each hapu had different laws. Neither were they in the position of Europeans, who have only one head, the Queen and the Parliament; each tribe was subject to its own laws, and every one knew that disputes amongst the Natives could not be settled if the Assessors were done away with. He hoped the votes would be passed as they stood, and the question of the creation of a Maori province left open for discussion. He believed with the honorable member for Avon that the Maoris would not become one with the Europeans. He had seen that from his youth up. He hoped no further reference would be made to these Napier disputes, because that was not a convenient time. The discussion had already become so confused that it was impossible to settle it. Some talked about Magistrates, others about schools, others about this Napier dispute. He did not wish to put the Napier dispute on one side, but merely suggested that that was not a proper time to discuss it. He hoped the House would pass the vote for the Assessors.

Mr. SHEEHAN said they had spent several hours in discussing the question; and if it was desired that he should reply to the arguments that night, he must not be asked to confine himself strictly to the question before the Committee. The debate had assumed enlarged dimensions, and now involved the Native policy of the Government. He was not surprised at the discussion taking that turn, because up to the present time

no opportunity had been afforded to discuss that subject. The Native Lands Bill had been withdrawn, and he knew of no other opportunity that would present itself to discuss the matter. Many other members wished to take part in the discussion, and he trusted the honorable gentleman in charge of the estimates would allow the matter to stand over. One did not like to attack a man behind his back, and therefore he refrained from making the more direct reference to the state of Native affairs, which he should have done in that honorable member's presence. He should have an opportunity of speaking on the questions raised in this discussion; and in all fairness he would ask that the Chairman report progress, and that the discussion be resumed in the afternoon. He would promise not to take up the time of the Committee needlessly, or offer any obstruction. He would abide by the decision to which the Committee might arrive. He did not think it fair to be asked to continue the discussion at that hour of the morning.

Major ATKINSON had no objection to progress being reported. He would suggest that the Committee might now come to a decision on this vote, and continue the discussion on the item for Native schools, or other items. He presumed his honorable friend did not wish to press the amendment to reduce the item by £10,000.

Mr. SHEEHAN would ask leave to propose that the departmental expenditure be reduced by £5,000, and that it should be added to the item for Native schools. He thought that progress might now be reported, and the debate be resumed in the afternoon.

Major ATKINSON would not object to progress being reported.

Progress was reported, and leave given to sit again.

The House adjourned at ten minutes to three o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 17th October, 1876.

First Reading—Second Reading—Public Works Bill—Debtors and Creditors Bill—Counties Bill—Auckland Provincial Council Library Bill—Bluff Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Little River Lands Bill.

SECOND READING.

The Palmerston Athenæum Bill.

PUBLIC WORKS BILL.

On the motion, That this Bill be read a third time,

* The Hon. Mr. ACLAND said that, if the Colonial Secretary did not think that the delay of a day would be injurious to the Bill, he would

like to have it recommitted for the purpose of altering one of the drainage clauses. As the Bill stood, it declared that all streams and water-courses were to be public drains. Now, a drain was a stream of water into which, as a matter of course, all sorts of filth were discharged, and which was used as a common sewer: in fact, in common language, it was identical with a sewer. That was what they had declared all streams to be which were not navigable. He would desire, if the Bill could be recommitted, to insert after the word "navigable" the words "any County Council or Municipality having given special public notice that they intend to take charge of and use the same."

*The Hon. Dr. POLLEN thought it was desirable that the Bill should be read a third time. It would have to undergo careful revision by the Government, and by the draftsman by whom it was prepared, and would also have to receive full consideration in another place. If the honorable gentleman would give him the terms of his amendment, he would see that, after what had passed, his view of the case would be brought under the consideration of the Government.

Bill read a third time.

DEBTORS AND CREDITORS BILL.

This Bill was further considered in Committee.

Clause 4.—Interpretation.

The Hon. Mr. HART moved, That the following words be inserted at the end of the clause:—"Trustees' shall mean Official Trustee, or the creditors' trustee, as the case may be."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	10
Majority for	...	...	...	...	2

AYES.

Mr. Acland,
Colonel Brett,
Mr. Chamberlin,
Mr. Edwards,
Captain Fraser,
Mr. Hart,

Mr. G. R. Johnson,
Mr. J. Johnston,
Lieut.-Colonel Kenny,
Mr. Pharasyn,
Mr. Rhodes,
Colonel Whitmore.

NOES.

Mr. Bonar,
Mr. Hall,
Mr. Holmes,
Mr. Lahmann,
Mr. Menzies,
Dr. Pollen,
Mr. Robinson,
Mr. Russell,
Mr. Stokes.

The amendment was consequently carried, and the clause as amended agreed to.

The Bill was reported with amendments, which were agreed to, and the third reading fixed for Friday next.

COUNTIES BILL.

This Bill was further considered in Committee. Clause 14.—Creation of new counties.

The Hon. Mr. HALL moved, That between the words "counties" and "shall" the following

words be inserted: "not being less than 200,000 acres in extent, or containing not less than 1,000 inhabitants."

The Hon. Mr. ROBINSON moved as an amendment on the Hon. Mr. Hall's amendment, That the words "200,000 acres" be struck out, for the purpose of inserting the words "250 square miles."

Question put, "That the words proposed to be left out stand part of the amendment;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	11
Majority for	...	...	...	...	1

AYES.

Mr. Acland,
Mr. Bonar,
Colonel Brett,
Mr. Chamberlin,
Mr. Edwards,
Captain Fraser,

Mr. Hall,
Mr. Hart,
Mr. G. R. Johnson,
Mr. Menzies,
Mr. Paterson,
Mr. Rhodes.

NOES.

Mr. Campbell,
Dr. Grace,
Mr. Holmes,
Lieut.-Colonel Kenny,
Mr. Lahmann,
Mr. Nurse,

Mr. Pharasyn,
Sir J. L. O. Richardson,
Mr. Robinson,
Mr. Stokes,
Colonel Whitmore.

The amendment of the Hon. Mr. Robinson was consequently negatived.

The Hon. Mr. HALL moved, That the words "or containing not less than 1,000 inhabitants" be struck out, with the view of inserting the words "nor containing less than 100 ratepayers."

Question put, "That the words proposed to be left out stand part of the amendment;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	4
Noes	...	...	...	...	19
Majority against	...	...	...	...	15

AYES.

Mr. Campbell,
Captain Fraser,

Lieut.-Colonel Kenny,
Sir J. L. O. Richardson.

NOES.

Mr. Acland,
Mr. Bonar,
Colonel Brett,
Mr. Chamberlin,
Mr. Edwards,
Dr. Grace,
Mr. Hall,
Mr. Holmes,
Mr. G. R. Johnson,
Mr. J. Johnston,

Mr. Lahmann,
Mr. Menzies,
Mr. Nurse,
Mr. Pharasyn,
Dr. Pollen,
Mr. Russell,
Mr. Scotland,
Mr. Stokes,
Colonel Whitmore.

The amendment was consequently carried.

Question put, "That the amendment as amended be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	6
Majority for	...	...	...	...	9

AYES.

Mr. Acland,
Colonel Brett,
Mr. Campbell,
Mr. Chamberlin,
Mr. Edwards,
Dr. Grace,
Mr. Hall,
Mr. Holmes,

Mr. G. R. Johnson,
Mr. Lahmann,
Mr. Menzies,
Mr. Pharazyn,
Mr. Russell,
Mr. Stokes,
Colonel Whitmore.

NOES.

Mr. Bonar,
Captain Fraser,
Mr. J. Johnston,

Lieut.-Colonel Kenny,
Dr. Pollen,
Mr. Scotland.

The original amendment as amended was consequently agreed to.

Progress was reported, and leave given to sit again.

The Hon. Dr. POLLEN moved, That the schedule of the Counties Bill be referred to the consideration of the Waste Lands Committee; and that it be made an instruction to the Committee to report to the Council, in case any change of boundaries is recommended to be made, the evidence, if any, given, and the reasons which, in the opinion of the Committee, render such change desirable or necessary.

The Hon. Mr. MENZIES said that, in a matter involving certain political boundaries in a schedule proposed by the Government, and maps which, perhaps, could not be considered as part of the Act, but were, at all events, connected with and explanatory of the schedule, it seemed to him that the Government was responsible for the accuracy of the schedule, and that the Council might be satisfied with that. It was quite a different matter from agreeing to reserve certain lands which had been surveyed, and the boundaries of which could be accurately verified, or agreeing to alter the destination of a reserve, or agreeing that certain reserves should be conveyed in a certain manner, or agreeing generally with lands the exact position of which could be actually verified. This was quite a different case. These were simply political boundaries; and if they were to judge of the character of the boundaries as shown on the map—if the lines were drawn on the same scale as on the map—they must be something like half a mile wide. They were content with the general indications; and he did not see any one thing that could be discussed with more advantage in a Committee than in the whole House. He was quite certain that, whatever decision the Waste Lands Committee might arrive at in the case of the disputed boundaries, the whole matter would have to be fought over again. He thought it would be a waste of time to refer the schedules to the Waste Lands Committee.

* The Hon. Dr. POLLEN ventured to assure the Council that it was not with the view of avoiding any responsibility that he had taken the course he now took. His object was to save the time of the Council, and to arrive at some definite conclusion as to the need for any changes, and to have the reasons for those changes submitted to the Council. He understood that there were some alterations of boundaries which, having been made in error, it would be necessary to rectify, and about which

there could be no dispute. A question of that kind could be settled very easily and quietly, and with much greater security in the Waste Lands Committee than by discussions in the Council. Where there was a desire on the part of any member to alter the form of schedule indicating the extent of any of the existing counties, it would be competent for him to appear before the Waste Lands Committee, and give reasons why it was desirable the change should be made.

The Hon. Mr. BONAR would offer no opposition to referring this schedule to the Waste Lands Committee; but he feared that, notwithstanding the examination by that Committee—which, after all, was only a small section of the Council—the same battle which was fought in the Committee would require to be contested again in the Council, and possibly there would not be so much difficulty removed as was expected.

Motion agreed to.

AUCKLAND PROVINCIAL COUNCIL LIBRARY BILL.

* The Hon. Mr. CHAMBERLIN, in moving the second reading of this Bill, said it was of a very simple character. Its object was to conserve the library belonging to the Provincial Council of Auckland. That library had been accumulating for many years, and had cost about £2,500, the number of books it contained being about 3,000. It was intended to appoint trustees, and that the library should be deposited in the custody of certain persons named in the Bill, until such time as it could be transferred to the governing body of the City of Auckland, under the provisions of "The Public Libraries Act, 1869." He was informed, by the gentleman whose name was at the head of the Bill, that the Government had promised to pay a librarian for twelve months to take care of the books, and also that the Postmaster-General had consented not to disturb it until the end of next session, but to allow the library to remain in the present Provincial Council building until that time. The trustees proposed to be appointed included Sir George Grey—he presumed on account of his being Superintendent—the Mayor of Auckland for the time being, and other gentlemen, who were selected as trustees because they were members of the Library Committee of the Provincial Council. After consulting with Mr. O'Rourke, he proposed to amend clause 8, which he thought the Council might object to as it stood. He would alter the clause so that as soon as the provisions of "The Public Libraries Act, 1869," were adopted for the city of Auckland and a library rate levied, it should be compulsory upon the trustees to transfer the library to the public, and not optional. He had heard that a desire existed on the part of the members of the Auckland Institute that this library should be handed over to that body. As far as he was personally concerned he would be very glad to see that done; but he thought that, as the library had been formed out of the public funds of the Province of Auckland, the public should have the benefit of it. If it were put into the Museum of the Auckland Institute it would

of course not be a public library, for more reasons than one. In the first instance, the building was not large enough for a public library, nor was the situation suitable; otherwise he would be glad to see the library there. He had no interest in this Bill, but, having been asked to take charge of it, he would be glad to see it carried, and hoped the Council would consent to it.

* The Hon. Dr. POLLEN was sorry he was not able to give his honorable friend his support on this occasion. Honorable gentlemen would remember that the Education Board Bill which was passed by the Council a few days ago, contained a general provision for the care and charge of provincial libraries and institutions of a cognate character, pending further legislation of a comprehensive nature for the purpose of dealing with them. The clause was the last one in that Bill, and was as follows:—

"It shall be lawful for the Governor, if he shall think fit, to place temporarily under the charge and control of any Board any public library, mechanics' institute, museum, or educational institution of a like character, for the administration of which no adequate provision has been made."

The Provincial Council Library of Auckland was not the only one which was required to be disposed of by the Legislature in the future. This provision was in the meantime, he thought, and he hoped the Council would also think, quite sufficient. If there were any occasion for exceptional dealing with the Council Library of Auckland, he was of opinion that the mode of dealing with it proposed in this Bill was, of all others, the worst, and he would give his reasons presently for that opinion. This library, which was a very valuable one, comprising works of reference and standard works, had cost a very large sum of money. It belonged to the people of the Province of Auckland, and this Bill proposed in effect to give to a small section of that people that which belonged to the whole. It was not necessary to have any particular knowledge of the Province of Auckland for any one, on looking at this Bill, to satisfy himself that the proposed Board, or whatever it was called, was a political party Board; and that, so far from providing for the wants, or the wishes, or the possible needs of the people of Auckland, the practical result of such a Bill as this would be to place in the hands of a section of the people of the city of Auckland that which belonged to the people of the whole province. All the names on the proposed Board were those of men of extreme and most pronounced party opinions. It would be a very great mistake to suppose that opinions formulated by mob orators, for noisy public meetings packed to indorse them, represented the sentiments of the people of Auckland, or that those men who were leaders in such proceedings were the representative men of that province. There is the still small voice of public conscience and common sense amongst the people of Auckland, which will make itself heard in the right time. At present the sounding brass drowned it, and it was inaudible in the din; but if any one supposed that it had no existence, they would be greatly

deceived. He thought that no greater wrong could be done to the people of Auckland than to make such a body as was here proposed to be constituted the depositaries of the Provincial Library. He held in his hand a letter addressed to the Colonial Secretary, on behalf of the Auckland Institute, offering to take charge of this library. The letter was as follows:—

"Auckland Institute, Auckland,

"7th October, 1876.

"SIR,—I am directed, by the Council of the Auckland Institute, to suggest to you the desirability of transferring to the Institute the library of the Auckland Provincial Council, shortly to become the property of the General Government.

"Assuming that the library will not be broken up, but will remain in its entirety, in Auckland, as there can be no question it should do, the Council of the Institute consider that they have the best claim to it, for the following reasons:—Since the establishment of the Institute in 1868, a free public library has been maintained in connection with it, being the only one in Auckland; and although, from want of funds, it has not been made so extensive as the Council could have wished, yet it has been considerably increased of late years. The completion of the new Institute and Museum buildings places the Institute in a position to provide secure and ample accommodation in a very suitable locality.

"Should the library be granted to the Institute, the Council would engage that it should be kept, together with their own, as a free public library for the inhabitants of Auckland, available for use without fee or charge.

"The necessity existing for a free library in Auckland has long been evident; and as no institution in the city has equal facilities with the Institute for carrying out the work, the Council trust that the Government will take this request into their favourable consideration.

"I have, &c.,

"J. F. CHEESEMAN,

"Secretary.

"The Hon. Colonial Secretary, Wellington."

A building had recently been erected in one of the best streets of Auckland for the purposes of the Auckland Institute, which would be a credit to any city in the colony. This building had been erected chiefly by the munificent contributions of the citizens of Auckland, more than one of whom had given £500 as his gift towards the building. The Council of the Institute had enrolled amongst its members the names of such men as Mr. Justice Gillies, Mr. Firth, Mr. Heale, Colonel Haultain, and others well known in science in Auckland, or distinguished by their zeal in the cause of public instruction. If any change were required to be made outside of the legislative provision which had already been made in the Education Boards Bill, he was of opinion that such a proposal as was made in the letter just read, to devote at once these books to the purposes of a free library, under the auspices of the Institute, was one that would commend itself to the acceptance of the Government and to the approval of the Council. But the Government at present did not propose to travel outside the provision which

had already been made for the care of these libraries; and until some other mode of dealing with a question so broad and general had been arrived at, they proposed to leave these Provincial Council libraries—the Auckland library amongst the number—in charge of the Education Boards in the several provincial districts. He hoped he had given the Council sufficient reasons for not proceeding further with this Bill; and he would conclude by moving, That it be ordered to be read a second time that day six months.

* The Hon. Mr. CHAMBERLIN was astonished and sorry that the Colonial Secretary should make a political matter out of this: he was perfectly astounded. However, he supposed that might to a certain extent be expected, for politics, this session, were running very high. With regard to the library not being devoted to the people of the whole province, but to a section of the people, he would like to know in what other way than the one proposed the honorable gentleman would give the public the benefit of the library. Surely he would not scatter the books all over the province—a few here and a few there. That would be a difficult matter. Would the honorable gentleman give the miscellaneous books to one district, the philosophical to another, the political to another, and so on? It would puzzle the honorable gentleman to arrange a distribution and satisfy the Education Boards in different parts of the country. The only way to utilize the library, it appeared to him, was to concentrate it at the capital of the province. By having the library in the city of Auckland they would not be depriving any portion of the community from availing themselves of it, for the books could be read by those in the country as well as by those in the town. It would be to all intents and purposes a public library for the people of the province; and, in fact, it might be used by people from any part of the colony. This Bill was only intended as a temporary measure until the city of Auckland chose to appoint a governing body under the provisions of the Public Libraries Act. The people of Auckland would not be so foolish as not to avail themselves of this opportunity of getting a fine library of 3,000 volumes, which would be a very good commencement; and under the Act they could rate themselves to the extent of 1d. in the pound for the purpose of establishing a public library. With regard to the statement in the letter from the Auckland Institute that the library of that body was a free public library, it was the first time he had heard so. He had been a member of the Institute from the very first, and had always understood that only members of that body had access to it. As to its being the property of the General Government, he was not aware of that, and was under the impression that it belonged to the Province of Auckland. He would like to know what the political opinions of the gentlemen mentioned in the Bill as trustees had to do with the object of the measure. He supposed that honorable gentlemen, in referring to them, meant that they were democrats. He (Mr. Chamberlin) did not know what that had to do with their being the trustees of the public library. Surely

politics need not enter into such a thing as that. With the exception of Sir George Grey and the Mayor they were all members of the Provincial Council, and were on the Library Committee. It so happened, he supposed, that they were gentlemen who were opposed to the Colonial Secretary in politics. He was sorry they should come to such a pass as that—that politics would allow the honorable gentleman to interfere with a Bill for the benefit of the people of the city of Auckland.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	3
Noes	...	...	...	...	11
Majority against ...					8

AYES.

Mr. Chamberlin,
Captain Fraser,

Mr. Scotland.

NOES.

Mr. Bonar,
Colonel Brett,
Mr. Edwards,
Dr. Grace,
Mr. Hall,
Mr. J. Johnston,

Mr. Menzies,
Dr. Pollen,
Mr. Robinson,
Mr. Stokes,
Colonel Whitmore.

The amendment was consequently carried.

BLUFF HARBOUR BOARD BILL.

The Hon. Mr. MENZIES, in moving the second reading of this Bill, said it proposed to establish a Board to administer all the affairs connected with the Bluff Harbour. The Bluff was very well known as the first port of call from Melbourne in the South Island. All those who had passed along that coast, and were familiar with the appearance and general character of the harbour, knew that it was within a very short distance of the course of vessels running from Port Chalmers to Melbourne and Australia generally, the jetty at the Bluff being about a mile and a half from the course of the vessels, with deep water right up to it. Strong currents, however, ebbed and flowed, the entrance being comparatively narrow, and the area within the harbour, in which the tidal water rose and fell, very extensive. It was a harbour which, from its position, must necessarily command the whole of the trade of the southern part of the South Island. The facility of access and egress, its proximity to the course of vessels to and from Australia, and the goodness of the harbour, the depth of water, and the extent of anchorage, must necessarily render it a harbour, if not of the first, certainly of the second class of harbours in New Zealand. It probably could not be compared with the Auckland Harbour or with some others. Then again the railways leading into the interior met at the Bluff. One line went from Invercargill directly north alongside the Oreti River, for a distance of something like fifty miles, and was completed and open for traffic at present, and would, he believed, be extended in the course of a few months for about twenty miles farther in

the direction of the Wakatipu Lake. He believed that within a year and a half or so the line would be open to the Wakatipu, so that then the traffic from that country, which was one of the largest gold fields on the eastern coast, would all centre at the Bluff. Then another branch went eastwards—the Mataura line, which was the main trunk line leading to Dunedin, and about forty miles of which were open for traffic. This line led to an excellent agricultural country, and the part that was open nearly all ran over a plain, and there was plain country farther along the line. When completed, the railway would connect Invercargill with Dunedin. At present it opened up the whole of the rich agricultural country extending along the Waihopi Plains to the valley of the Mataura—a valley which was not surpassed in the southern part of the colony for fertility for agricultural purposes. Then another branch of railway was in process of formation to the westward. It diverged from Wallace Town above Invercargill, and extended to Riverton through a rich agricultural country, and from Riverton it went to the great coal field called the “Night-caps.” That last line, however, although in process of formation, was not likely to be constructed for some time, but the other lines would necessarily connect the traffic over a very large extent of country to be shipped at the Bluff. The Bluff would become the centre and point of convergence of all the export traffic, and the depot of all the import traffic in the South. The extent of the traffic even now was very considerable. Looking over some of the statistics that had been published, and taking the years 1871, 1872, 1873, 1874, 1875, he found that the Bluff ranked for its shipping inwards in those five years as the sixth port in New Zealand for two years, and the third port for three years; the other ports being Auckland, Wellington, Napier, Nelson, Greymouth, Hokitika, Lyttelton, Dunedin, Timaru, and Oamaru. For the shipping outwards, it ranked in those five years in the order of succession fifth, seventh, sixth, fifth, and fifth. In the amount of its exports, it ranked in those years as the sixth, eighth, seventh, sixth, and seventh, the exports in 1875 being of the value of £321,108; and in the imports it ranked as the eighth, ninth, seventh, and sixth, the imports for 1875 being worth £219,742. In those five years it ranked, with reference to the Customs revenue, as the seventh, ninth, ninth, eighth, and sixth, the Customs revenue in 1875 being £35,815, and for the first quarter in 1876 £3,226. This would give an idea of the extent of the traffic there; and an indication might be afforded of the extent of the country of which it was the outlet and the natural port, when he said that the land revenue from the 31st March, 1871, to the 31st March, 1876, in the district of Southland amounted to £548,684. That, he thought, established the fact that a port of its character, having such considerable actual capabilities, deserved some attention. It had been hitherto managed only by the Provincial Government; and during the last two years, especially during the last year, there were constant complaints from the shippers and from the merchants of the lack of sufficient

accommodation for vessels and for storing goods. From time to time additions had been made to the wharf, the first part of which had been built for thirteen years, and which, as the traffic increased, proved insufficient to afford accommodation to the shipping; and during the summer time it frequently happened that the wool vessels were obliged to remain in the stream for weeks before they could get accommodation, the wool all the time being stored at the different points along the line—a great deal at the Bluff, much at Invercargill, and large quantities at the other different depôts, being left there simply because it was of no earthly use to send the wool along by the railways, seeing that it could not be shipped, and that the shed accommodation at the Bluff was not sufficient to receive the whole. No doubt the Provincial Government would gradually have made further additions, and all the further provisions that were necessary; but seeing that the provincial institutions were being superseded by a new order of things, it was necessary that some special body should be intrusted with the charge of this important place. He thought the Council would agree with him that the charge of a harbour was not a proper function for a County Council to exercise. A harbour ranking as the Bluff did deserved to have a Board charged with the care of its own interests; and it was for the purpose of getting such a Board established that this Bill was brought in, and also for the purpose of enabling that Board, when established, to administer its functions with benefit to the port and to the public. The objects of the Bill were threefold: first, to establish a Harbour Board; secondly, to lay aside some pastoral lands—for agricultural lands had been rigidly excluded—for the purpose of an endowment to enable the Board to have some certain source of revenue, from whence they could make such improvements and carry on such works as might be considered necessary. The third object was to give the Board borrowing powers. He thought no member of the Council would differ in opinion with respect to the desirability of having a Board appointed to take charge of the harbour; and he trusted there would be no difference of opinion, inasmuch as it was desirable to establish such a body. It should have some means of doing good service; and the most convenient way in which it could be enabled to do so, in the absence of large votes such as would be required for the place from time to time, was to give it an endowment of land. It was not proposed that this endowment should be in any way under the control of the Harbour Board. The plan contemplated under this Bill was to give it in the same way as land was given in the case of the North Otago Loan Act. In this case, as in that, a certain tract of land was set aside, and the revenues arising from it were to be paid over to the Board; but the Board had no further concern in it, and received only the rates. The Waste Lands Board continued to manage the land as it deemed fit, in the same way as if it had continued to be Crown land, but the proceeds as they arose were to be devoted to this special purpose; and it seemed to him a

wise thing to devote a part of the land revenue in the locality to a purpose so catholic—if he might so call it—so likely to be beneficial to the whole community, as that of improving the harbour. The third part of the Bill, he feared, from the experience of the previous evening, would not be a palatable proposition to the Council. It was to give the Board borrowing powers. He feared that nothing he might say would make this proposition palatable, but it was part of the plan. It had been considered desirable by a large committee of the most influential persons in Otago, who deliberated carefully over this matter some time before the session began, and it was with the view of endeavouring to carry out their wishes that he now advocated that this borrowing power should be given. The Council would remember that even an endowment such as it was proposed to be given of pastoral land would not yield much of a revenue for some time. It was possible it might continue in the hands of the runholders for a considerable period, and in that case it would yield only a very small revenue—not sufficient to enable the Board to carry on any very large works; and although it might enable them to add some improvements to a moderate extent in the way of extension of accommodation and other matters, still there were many things on account of which it might be desirable to give the Board the power of doing considerable works; and unless they were authorised to borrow to some extent, they would not be in a position to do so. He believed that no further remarks of his on this point would be likely to render the proposition more palatable to the Council; and he thought he had stated, in outline at least, the main reasons why he thought it desirable that the proposal should be agreed to. The endowment would do much; but the endowment alone would not enable the Board to do certain works which it was very desirable they should be in a position to do within the next year or two. He left the matter, so far as regarded the last point, entirely in the hands of the Council; and he now moved that the Bill be read a second time.

* The Hon. Colonel WHITMORE said that at this late period of the session they were quite unable to give the Harbour Board Bills that patient investigation, and that careful attention in Select Committee, which so important a subject demanded at their hands. It could not be said that they did not, from the very earliest period of the session, ask over and over again to have any Bills that would require attention given to them for their consideration. Honorable gentlemen would bear him witness that they did nothing else but ask for Bills of this character at the beginning, in order that they might give them that careful examination which the time and leisure at their disposal would have enabled them to afford them. But now, when they were beginning to count the interval between the present time and the day of prorogation by days, and when they had a number of very important Bills brought down by the Government, he thought it was manifestly impossible that they could take nineteen Harbour Board Bills, examine them, take evidence, and weigh them in

that impartial balance by which Bills of that kind should be tested; for it seemed to him to be almost indecent to hurry Bills of this nature through the Council without giving them the fullest examination and attention. His first intention, when he heard the way in which they were likely to be asked to consider these Bills, was to move, upon the introduction of the first of them, that it should be read that day six months, and he had intended to act in the same way with regard to every succeeding one, until the whole of them were disposed of, if honorable gentlemen shared his opinions, because he thought it was impossible to discriminate between them; and he thought they would merely be wasting time in attempting to do what would be always considered as having been done in a very perfunctory manner, and as having brought them very little credit. But since he had examined the subject and read these Bills, he had come to the conclusion that it was their duty to overcome their scruples to a certain extent. He believed that now the Provincial Governments were dead or about to be done away with, and new Governments introduced that were not able to grapple with the difficulty of harbours, it was their duty to assist localities in forming Boards and some mode of governing their harbours until the Government performed its obvious duty and brought down a general Harbour Board Bill for the whole colony. There were among these Bills several which asked for borrowing powers and endowments; but he was of opinion that all that was really wanted was the machinery for management. There were other Bills introduced in which, as far as he was able to gather, all that was really sought was to have a Board formed, and that Board allowed to manage its own Harbour Department for itself. But there were other Bills brought in of an entirely experimental description, in which vast endowments were asked at their hands, and enormous borrowing powers. He had not made a calculation himself, but he had been told that borrowing powers to the extent of £800,000 was included professedly in these Bills which they were called upon, within a few hours, to pass and vote away. He felt sure that, after the disposition shown on the previous evening in the Council, that would not meet the wishes of many honorable gentlemen; while no honorable gentleman would wish to see the credit of the colony, where it had been pledged, sacrificed, or any harbour actually left in a neglected condition from the want of some Board of officers to manage this concern. Therefore he would, as far as he could, endeavour to leave the machinery part of these Bills, and remove from them all the endowments and borrowing powers. He hoped that next year the Government would come down with a proper Harbour Board Bill, on which all the consideration which ought to be expended by the Government upon such a Bill would have been given, and on its own responsibility recommendations made to them in the Council upon undeniable authority, and with the advantage of the best information. They would then be told what borrowing power it was safe to

give to this harbour and to that one, and upon what principle and to what extent borrowing powers might be granted. He apprehended that the principle would be to allow Harbour Boards to borrow certain sums in proportion to the dues they might be supposed to be able to earn. He thought that so many years' dues might be considered to be a proper measure of the amount that any particular harbour might borrow; and he believed that, in granting such borrowing power, they would be proceeding as business men, and on a proper and honest principle. There was the greatest possible diversity of principle among all these Bills that were submitted to them. Some were introduced with a view to ask the Council to authorize experiments in the ocean—experiments which might or might not be successful, and which might or might not only cost the sums at present estimated. Now, in all those cases, the colony had gone so many years without these works; it was at the present moment very heavily burdened by the works it had undertaken; and he thought there was no reasonable case for any haste in borrowing. Therefore, in his opinion, those Bills should be remitted to the future. They might be left until the Government had grappled with the question upon much better information than the Council could now obtain, and had introduced a proper Harbour Board Bill, and was able to give them its recommendation. There were other Harbour Boards, and especially those in connection with rivers, which only asked for power to use such dues as they now received in removing snags, in strengthening the wharves, and making the harbours more accessible, which was all they could do with the limited means at their disposal. Those proposals were, he thought, such as they ought not to oppose this session. They meant nothing; they could lead to nothing objectionable; and they could do great public service; and in those cases the Council ought to support the proposals made. In other Bills—and he thought they were Bills which they ought to regard with the greatest suspicion—what they were asked to do was virtually to give a large endowment of land—nothing else in the world but a great gift of money. They were asked to give large endowments of land, in order to enable the Harbour Boards to borrow certain sums of money to undertake new works which had been hurriedly thought of and brought up, merely because other harbour schemes appeared to be progressing, and because it was feared that, if they did not apply in time, they might not be able to obtain their money. In those cases, where large blocks of land were asked for, and where large borrowing powers were of course included, he thought the Council should content themselves with simply authorizing the constitution of the Boards, as they were requested, and stop there. For six or eight months until next session, with that machinery, the Boards would be able to do a great deal. They could obtain information; they could be sure that, when they had got their powers from the General Government, they would not be wasting anything; they would thoroughly understand the extent of all the works which they were at all likely to undertake, and they would know

better how far those works were likely to pay. There was one Harbour Board Bill that would be submitted to the Council to-morrow or next day which he must make an exception—the Oamaru Harbour Board Bill. There was a Harbour Board which had had the proper legal permission to raise £100,000 of debentures. But honorable gentlemen would remember how many times, and how many sessions, they opposed those proposals in the Council. Afterwards they were carried out by the province itself. The scheme was started; it proved a success; it was being carried on with the greatest industry, and it had turned out to be a work of colonial importance. Oamaru had now a harbour of refuge, and every day's experience showed it was becoming more and more all that was predicted by its most sanguine supporters at first. They obtained a legal right to raise £100,000; and as they could not give the due security which had been contemplated until the breakwater had progressed a certain distance, so that the boat service, which cost £8,000 a year, could be set aside, and that money devoted to the payment of interest on the debt, an arrangement was come to with the General Government to make certain advances on their debentures, and £85,000 was advanced on the understanding that a further balance would be paid at a future time. Circumstances had arisen which would render it inconvenient to the Government to go to the full length that was first anticipated; but unfortunately contracts had been entered into which could not be suspended without great injury to the works which had been begun, and a manifest breach of faith, possibly involving considerable claims for compensation upon the colony. The colony was nothing else but an aggregation of public bodies, and what one public body lost the colony lost. If means could be found by which either the colony should lend its temporary security, or give a temporary security over land, or even, if nothing else could be done, if land must be given, and no other means could be found, he was prepared to support that Bill, or, at all events, to look upon it with the utmost favour, and to go as far as he could without sacrificing his principle; but, with regard to all the other Bills of that character proposing experimental works about which nothing had yet been done, he thought it was their duty to close their hearts. Their sympathies might go, and in many instances would go, with the proposals; but it was their duty to resist such sympathies. He believed that in Lyttelton there were works in progress, too, which would be much injured if they were not proceeded with; but, in that case, he understood the Council would not be asked to make a land endowment, or rather they would be asked, but he believed no disappointment would occur if they did not consent. He understood, also, that in the Otago Harbour considerable progress might be made without endowments, and there, also, he would wish to consider the proposal very favourably. There was no endowment and no borrowing power asked for in the Waitara Bill, nor in the Lyttelton and Otago measures; and there was the same feature in one or two others of the Bills. The one before the House

unfortunately had all those features which were most unacceptable, and which, at that period of the session, he felt the least disposed to entertain. Nevertheless, he would act according to the views he heard expressed in the Council. His feelings were to allow the machinery part of the Bills to exist, and to allow the Bills to be read a second time, on the understanding that the borrowing powers and endowments would be struck out in Committee. But if that view did not go so far as other honorable gentlemen wished, he would sooner see the Bills lost than see so vicious a principle adopted as committing the country to these great borrowing powers and large endowments before the Government had had an opportunity of considering the whole of these schemes in a general Harbour Board Bill for the colony.

The Hon. Colonel KENNY said the few observations he had to make to the Council he would have offered equally on the Riverton Harbour Board Bill, if it had not been postponed. He intended to take the same course with reference to this batch of Bills that he took in the case of a similar class which came down to the Council in the year 1873—the Provincial Borrowing Bills. It was quite clear that this was a case of "Follow the leader." That was the only way to account for such a batch of Bills coming down as now appeared before the Council. One locality had set the example of proposing to borrow, and the others had to follow that example. They were in the same position with reference to this matter that they were in with regard to the Provincial Borrowing Bills in 1873. It would be seen from this that he had no hostility to any particular locality, or any desire to impede those improvements for the promotion of the prosperity of the various places that sought to improve their position by the constitution of those Harbour Boards, and the construction of the works that would follow; but when he recollected the feeling of the Council in 1873 with reference to provincial borrowing, he felt that he, at any rate, would be very inconsistent if he did not take the same course now as he did on that occasion. It did appear to him that the proposal in the Counties Bill, in these Harbour Board Bills, and in a variety of other Bills, was simply a repetition of the provincial borrowing proposals of 1873. Therefore he had no alternative but to oppose the first of these Bills as he had opposed the Auckland Provincial Borrowing Bill in 1873; and his remarks on the one Bill would apply equally to the whole. With regard to the particular Bill before the Council, it was quite clear, from the explanation made by the Hon. Mr. Menzies, that, if the Council refused the power to borrow, they would be inflicting no injury on the Bluff. That place, according to the statistics of the honorable gentleman, was already in a prosperous condition; it had considerable intercourse with other ports, and a good deal of shipping; so that the Council would not be preventing its growth or putting a stop to anything, but merely leaving things as they were at present, by refusing borrowing powers. As the objects of the Bill were diverse, it would be only

proper that they should give their best attention to them as they came before them, with a view of giving effect to them if possible. Perhaps the honorable gentleman in charge of this Bill might feel disposed to set the example, and withdraw that part of the Bill which referred to borrowing. In that case, he would be very happy to support it; and perhaps, if this proposal were adopted, it would have the effect of causing the whole of the Bills to be placed in such a position that the Council would be able to give them due consideration. With those few words, he would vote against the Bill, and all Bills that contained borrowing powers, unless those provisions were withdrawn, in which case he would support the Bills.

* The Hon. Mr. HOLMES had much pleasure in supporting the motion of the Hon. Mr. Menzies, who had given a most clear and complete statement of the object of the Bill. He could add nothing to that statement, except merely to mention that the Bluff was the first port of arrival from the Australian colonies. When our railway system was complete, it would be the Liverpool of New Zealand, where passengers would land and where they would embark when going to the Australian colonies. It was a place of very considerable importance. A few years ago, he was the medium of obtaining, in the Provincial Council, a grant for the extension of the wharf. But the sum granted was not at all adequate for the purpose, and the result was that ever since there had not been sufficient accommodation for the shipping visiting the port. There was not only an export of agricultural produce and wool, but there was also a very large export of timber, which involved a larger amount of shipping than was required for any other purpose when the trade was an extensive one. The port itself was a good one, being easy of access and close to the open ocean, so that all that was required was to give facilities for ships to lie alongside good and sufficient wharves. There was one circumstance that would prove how necessary it was that this port should be attended to. It was not a place that might at some time fail, for it was backed by at least 1,000,000 acres of fine agricultural land, and it must of necessity be a place of considerable importance for all time to come, because the more dense the population, the greater the exports. The interior of the country was also peculiarly adapted for grazing purposes; and when the railway to Winton was completed, a large portion of the wool trade of the interior of Otago, and even as far up as the southern portion of Canterbury, would find an outlet from the Bluff Harbour. The question they had to discuss in connection with this was the policy of giving endowments in land and borrowing powers. It had been granted by those who had addressed the Council that it was necessary, at all events, that all these harbours should have governing powers, and that there should be power to regulate the affairs of the harbours and administer them on the spot. That there was no question about. The only other two questions were as to the endowments of land

and the power of borrowing. He thought they should support the first of those proposals. He was in favour of giving the endowments of land now, because they might not have such a good opportunity of doing so again. He would not be favourable to permitting the borrowing. He had said so much on the subject of borrowing money that he did not like to touch on the subject again. He was still of opinion that it would be prejudicial to the interests of the Colonial Government were powers given to those Harbour Boards to borrow to the extent they would be able to do under these Bills. He had, for his own information, reckoned up the quantity of land asked for, and the amount of money sought to be borrowed under these Bills, and he found that the latter amounted to £870,000, and the former to 261,421 acres, besides town sections and suburban allotments. Although the quantity of land might seem large, still he would not object if it would be the means of enabling the Boards to carry out the improvements of the harbours, and in that way assist to develop the trade of the country. But, as a matter of policy, he thought it would not be right to permit these Bills to pass with borrowing powers, because they would hamper the action of the Government in borrowing money in the London market.

The Hon. Mr. CAMPBELL thought it must be a matter of regret to all honorable members that the Council had received so many Bills of this character. He believed that, so far as the colony was concerned, three or four Harbour Bills were, at the outside, all that were required this session. He considered that at the Bluff there were ample means at present to carry on all the trade requirements in that part of the colony. There was an excellent harbour and an excellent wharf. The Bill before them, there was no doubt, proposed to give a very considerable extra endowment to that harbour. He had a certain amount of delicacy in voting against this Bill; but he considered it should be postponed until next session, and that the Council should deal with the other Bills which were of more importance.

*The Hon. Captain FRASER would advise the Hon. Mr. Menzies to postpone the second reading of this Bill until after the Oamaru Harbour Board Bill had been considered, because in whatever way that Bill was dealt with, all the other Bills should be dealt with. He would strongly advise the honorable gentleman to postpone his measure. Some honorable gentlemen seemed to excuse their conduct in relation to these Bills in a manner which would be well described by the lines,—

Compound for sins they are inclined to,
By damning those they have no mind to.

In the course of travel, he lately came across a fearful case of sanguineous transudation. It was a very rare, but very fearful thing. That was what the colony was suffering from just now. It was bleeding at every pore, and they must apply some remedy to stop it. He was prepared to go against all borrowing whatever; and he would not make flesh of one and flesh of another. He would not vote for the Oamaru endowments and borrowing, and refuse to do the same for the

Bluff. He was at the Bluff lately, and during the wool season; and at that time there was no room at the wharf for the vessels that were endeavouring to crowd to the jetty. It was the only harbour of refuge on that coast. As for Oamaru being a harbour of refuge, it was trashy nonsense to say so. It would never be anything of the kind. It was absurd to call a place with only a depth of eleven or twelve feet of water a harbour of refuge. Oamaru had been a spoiled place, from the very fact that in that Council there were four or five gentlemen from that locality all ready to support Oamaru. Talk about the horse-leech, Oamaru had been like the father of the horse-leech. It had been getting more money than any other half-dozen ports in the colony. He trusted the honorable gentleman would take his advice, and postpone further consideration of this Bill till the Oamaru Bill had been dealt with.

*The Hon. Mr. HALL did not think it followed that any honorable member who voted for this Bill necessarily approved of borrowing, because the Bill contained not only borrowing powers, but provisions for endowments, for constituting a Harbour Board, for the management of the harbour and the collection of wharfage dues, and for the improvement of the wharf with whatever means the Board might have. Therefore he hoped his honorable friend would not vote against the second reading of the Bill simply because he might be very strongly opposed to borrowing. There was a great deal of force in what he said, that the Council ought to consider this general question of borrowing altogether. He did not say they ought to apply the same rule to all the questions which might come before them. Their merits were not all the same. Some of the Bills which would come before them he believed to be ridiculous, simply absurd. On the other hand, some of the Bills he believed to be very useful and desirable. Therefore he trusted they would not shrink from the trouble of discriminating and passing those which really did deserve to be supported, and, on the other hand, not shrink from absolutely rejecting those which they believed not to be called for. In regard to the land endowments, he ventured to think that there was no purpose to which the land of the colony could be more legitimately applied than in improving harbours. As the best application of the proceeds of the land was towards the improvement of the land itself, in what manner could the land be more permanently and more satisfactorily improved than in finding proper outlets for its produce? Surely that was the measure before all others that would most benefit the land, and enable it to be properly occupied. He was strongly in favour of the principle of applying the proceeds of the waste lands—whether by large blocks of land, or by a proportion of the land sales of the district, as might be found preferable—to the improvement of harbours. He would come to the consideration of these Bills prepared to deal with them in that spirit. He would call the attention of his honorable friend to a feature in this Bill, and which he found in almost all the other Bills—which, although it appeared to

be a small matter, it was as well that their attention should be called to at once, because it seemed to him a very objectionable feature in the Bill, and it was a marvel how the Government had allowed the Bill to pass through another place with that provision in it. In clause 15, he found that, among other things, the Harbour Fund would consist of—

“All pilotage rates and harbour dues for the time being leviable in respect of the port under the authority of ‘The Marine Act, 1867,’ or of any Act amending the same, and received by the Board.”

So that the pilotage fees and harbour dues, which according to every proper scheme of harbour management should go to support the pilotage establishment and the Harbour Master's establishment were to go to the Harbour Boards. The Legislature had provided in the estimates that the colony was to pay for maintaining the Harbour Master's establishments and the pilotage establishments; and yet the proceeds of those establishments were to be paid away to the Harbour Boards. He trusted, that whatever was done with the Bill, that clause would be taken out of all these Bills. The other charges, such as wharfage, rents, and harbour improvement rates, were fairly the income of the Harbour Boards, which bodies were, as he understood, not to take the management of the Harbour Departments, but rather the subject of harbour improvement. He understood that was the principle upon which these Bills were drawn, and the Council should give the Boards therefore the income which was properly applicable to that purpose. He would vote for the second reading of this Bill, and he would vote for the endowment for the reason he had already stated. What he would do with regard to the borrowing power would depend upon what might be decided upon generally. He did not mean to vote in Committee for the full borrowing powers proposed to be given.

The Hon. Mr. ROBINSON would oppose generally the whole of these Bills. It seemed to him that it was now the exception for a Bill to come down to the House without containing a clause authorizing borrowing. He did not think the Council would be doing its duty to the country, nor, on the other hand, would it be acting in a way that would be acceptable to the Government of the present day, if it passed a number of these Bills which had come down to them lately, every one of which authorized the expenditure and borrowing of money. If it was desired to borrow money he maintained that the Government of the country ought to do so. It had been proposed by various Bills that had been submitted to them to give borrowing powers to Municipalities and County Councils, and now they had a large number of Bills containing clauses authorizing Harbour Boards to borrow money. He must admit that there were some of the measures which might be good ones; but the Hon. Captain Fraser had told them that if the present Bill were objected to, he would object to many more. He (Mr. Robinson) had been at the Bluff; he had stopped there for a short time, and

having nothing to do, there being no great extent of country road about, he had made himself acquainted with the wharfage accommodation and the harbour generally. He had also had a good deal of conversation with a captain who visited these shores very frequently, as to the accommodation of the harbour, and so on, and that gentleman confirmed all that had been said about the Bluff by the Hon. Mr. Menzies. There was no doubt it was a very good harbour, and very admirably situated. It would be the port of arrival and departure for all vessels from New Zealand, at any rate for Australia. As far as he could see, the accommodation at the Bluff Harbour when he was there a short time ago was all that was required, or was likely to be required for some time to come. It was proposed by this Bill that they should give an endowment of 35,000 acres of land; and they had been told by the Hon. Mr. Holmes that it was very desirable to do it on the present occasion—that if they did not do it now they might have no other opportunity. This 35,000 acres of land meant something like £70,000 of the country's money.

The Hon. Mr. HOLMES. — £35,000 : £1 an acre.

The Hon. Mr. ROBINSON said £1 an acre might be its fixed price; but if the land was not disposed of, there was no prospect of its being disposed of at present. There was no doubt that by-and-by it would be of great value, if it were of such quality as his honorable friend had described it—namely, rich agricultural land, and in the immediate vicinity of a port. Such land must become very valuable. They could not increase the area of New Zealand, and they could not increase the property of the colony whatever they borrowed. He did not care whether it was borrowed by Municipalities, by County Councils, or by any other bodies, it was a debt upon the country. It was so much of their security gone. They had already borrowed a very considerable sum of money, and he believed the debt of the colony was now approaching £20,000,000. It appeared to him that they were now at a standstill as far as the colony was concerned, and yet they said to everybody else who wanted to get money, “Borrow, borrow, borrow. We have a great deal of difficulty in borrowing; run you into debt.” They had better rest on their oars, and try to make what had already been done remunerative. Let them see whether the outlay they had already gone to would return interest or not; but if they were to again dispose of security they had already given, he could not see what the result would be. He remembered that a Bill was before the Council a few days ago in reference to wharves and quays; and the Hon. Captain Fraser then said the land dealt with by the Bill had been exhibited as part of the collateral assets of the Dunedin Corporation, and that, in the belief that it belonged to the Corporation, a certain sum of money had been borrowed. If all these twenty millions of money had been borrowed on that principle, if the colony had shown the creditors its assets, they would be doing a much greater wrong than the Hon. Captain Fraser thought they would be doing to the lender

to the Dunedin Corporation when they took away from that body the piece of land which had never belonged to them, if they now took away country that was already mortgaged for the public debt. Where were they to look for the repayment of this money if they gave it away to Harbour Boards, and very likely had it expended on unprofitable works? He did not mean to say that all the works were unprofitable; but he thought it was too soon to commence borrowing afresh, and going on with works while the colony was at present very hard up. He had heard the Oamaru Harbour Board Bill very highly spoken of, and he believed the work in question was a very necessary and desirable one. The colony had already spent a very great deal of money there. He had always been very much opposed to giving borrowing powers and endowments even to the Oamaru Harbour Board, and he believed the success of the undertaking which had already been entered upon there was very much questioned. He was, however, surprised to hear the remarks of the Hon. Mr. Holmes, from which it would appear that they had been going in a wrong direction; for that honorable gentleman told them that the Bluff Harbour would be the port of export for all the wool and produce from the southern portion of Canterbury.

The Hon. Mr. HOLMES said his honorable friend misunderstood him. He referred to the interior, which was altogether a different district, separated by a high range of mountains from the port of Oamaru.

The Hon. Mr. ROBINSON said his honorable friend had stated that a great portion of the wool from the southern part of Canterbury would find its way to the Bluff. He maintained that if there was accommodation afforded at the Bluff Harbour for shipping the produce from the southern portion of Canterbury, which, as honorable members well knew, was considerably to the north of Oamaru Harbour, there was no occasion to have spent any money in making the Oamaru Breakwater. There was another Bill to which there had been a large map attached in another place, and there had been a great deal said about it. He alluded to the Timaru Harbour Board Bill. Now, his honorable friend had not stated that the Bluff Harbour would take the produce and wool from so far north as Timaru. He (Mr. Robinson) had been at Timaru, and it certainly did look like a wild place; but the amount of work that was done there by the boat service was something surprising, and he thought, from all he had heard of Oamaru,—and he had spoken to the late Mr. Balfour and several other engineers, including Mr. Wood,—and he had also heard of Timaru, and so far as a breakwater was concerned he thought there was very little difference between the two places, except that there was a great deal of shingle at Timaru, which was provided for in the plan to which he had previously alluded. He did not know whether there was a Board constituted at Timaru, but there was at any rate £100,000 already in hand for the construction of this island in the sea, as it was called, which would create a very safe refuge for shipping.

Together with another 50,000 acres of land, which he understood was asked for, from the two adjacent counties, he thought they ought to make a very good harbour at Timaru. After what his honorable friend Mr. Holmes had told them as to the Bluff taking all the produce from the southern portion of Canterbury, he thought it would be much more desirable that if any endowment or borrowing power was to be given they should give it to the Timaru Harbour Board, because the Bluff was a long way off, and it was even an expensive matter to send wool down from Timaru to Lyttelton by rail with the present service. The question at the present moment was one of borrowing; and he maintained that they should not give the privilege of borrowing to every little institution that started up. They would have all these borrowing Boards of every description, with their agents in London, competing with the General Government, which should borrow at the cheapest rate. If they wanted money for these Harbour Boards, why should they not confine the borrowing powers to the General Government. Let them have one borrower, and no more. Do not let them be burning the candle at both ends. And if it were shown that in some of these places harbours could be made where shipping in ordinary weather could be carried on, and the loading and discharging of vessels, let Bills be brought before Parliament, and evidence given to show that they were absolutely necessary works. Then let the question be put to the other branch of the Legislature, whether a certain sum of money should be granted or not. He had no doubt that, if it were clearly shown that it was desirable, and likely to be a good investment and a benefit to the adjacent country, the House would sanction it. But on no other terms, at the present time, would he agree to borrowing. They had had a very long session, and, as the Hon. Colonel Whitmore had shown, at this late period they could not go into these Bills in that scrutinizing manner which was absolutely necessary, if they were to discharge their duties as legislators ought to do; and therefore the matter had better wait. It would only be for a few months. The colony had gone on so far, and all the produce had been sent away; and there was no doubt that that could be continued until another session arrived. If it were then considered desirable that some Boards should have borrowing powers and large endowments, he had no doubt the Parliament would sanction them.

* The Hon. Mr. STOKES said it was very unfortunate, but it always happened that the most important Bills came down at the end of the session. It also unfortunately happened that nearly every session some epidemic broke out. This year it had taken the shape of an epidemic of Harbour Boards. One or two of the Bills, perhaps, required great consideration; and the establishment of the Boards would no doubt be of great service, if the Bills were passed under certain conditions and alterations. One or two Bills of this description were brought before the Legislature, and immediately a flock of Harbour Boards of various descriptions arose. Some no

doubt required consideration, and some were of an indifferent character; and there were some that, he ventured to say, ought to be rejected altogether. It appeared to him that the best way of treating these Bills would be to deal with them on their merits, consider them rather critically, and certainly not to pass those that were not absolutely required. Passing from the general subject to the Bill before them, there were three important considerations connected with it. In the first place, there was an endowment of 35,000 acres. In the second place, there was a borrowing power of £30,000 at a rate of interest not exceeding 7 per cent. per annum, and to be borrowed for thirty-five years. Then there were the various dues which were to be paid to form a harbour fund. When they considered the present state of the colony, the large amount that had been borrowed, the amount still required to finish those works which for some years past they had maintained to be of absolute necessity to the colony, and which now had advanced to a certain stage and had shown themselves reproductive works, let them do one thing at a time and do it well, and not place in jeopardy perhaps the most important works, by diffusing their energies and attempting what was beyond their present strength. If they were to continue the policy for which they had borrowed so largely, and for which they would have to borrow so much more money, then they would, by adopting such a course as that to which he had alluded, make that policy a failure instead of a success. He could not see any necessity for carrying out all these works in the different harbours at once. Some of them might well be allowed to wait. The present management of the harbours answered very well, and would do so for many years to come. Why then should they suddenly run into debt for the purpose of carrying out works which were not absolutely wanted? They should first do those works which were of immediate interest. There would be plenty of time, when the trade and population of the colony had increased, to turn their attention to these other works. If he voted for the second reading of this and the other Harbour Board Bills which would be brought before the Council, he would certainly stipulate that the clauses giving the Boards power to borrow money should be struck out. All that they should do at present was to constitute Harbour Boards in those harbours which really required them. By-and-by when the necessity arose it would be time enough to invest the Boards with borrowing powers. There was another objection, in addition to those which his honorable friend Mr. Hall had pointed out, which he had, namely to the dues and rates which constituted the Harbour Board funds. Even now the harbour rates throughout the colony were greatly complained of, and he believed it was more expensive for a vessel to visit the harbours of New Zealand than those of the Australian colonies; and if the rates were increased he believed that the burden would fall very heavily on the colonial steamers that were constantly running to the different ports in the colony. He thought that some of the Har-

bour Board Bills should be passed, but others might be shelved for the present at all events. If they merely constituted the Boards and gave them certain powers, they would be doing enough for the present.

* The Hon. Mr. PATERSON said it appeared to him that no more important question had arisen during the session than that now before the Council. Any question affecting a country's seaports must always be of great importance, and the Council should beware of dealing with it on any light or superficial grounds. There was no doubt that a number of these Harbour Board Bills now before the Council might be laid aside for some time, as they were not of immediate importance; but there were others which it would be injudicious to put aside, as they referred to ports of importance, which, in the present transition state of affairs, required immediate attention. He had no intention of going into the details of each Bill at the present stage. Each of the Bills would come up in its own turn; and it would be well for the Council to bear in mind that each should be considered when it came up as fully as the advanced period of the session would admit of. There was, however, one principle that ran through the whole of the Bills which might be dealt with at once—and that was the principle of giving the Harbour Boards large endowments of land and also extensive borrowing powers. It was manifest that, if they were to have useful ports for the country, those ports must be kept in good order and repair, both for the receiving and exporting of goods. Therefore there must be funds provided in some shape for the maintenance of those ports. Whether that provision was to be in the shape of land endowment or anything else, must be decided, he thought, in each case, as the Bill came before the Council. There was no doubt that they had it in their power at present to make endowments of land for the support of those ports. As had been remarked, they might not possess that power some time hence; and it might be a question for the serious consideration of honorable gentlemen, whether these endowments should be made now, or be left over till another opportunity. As far as the borrowing powers were concerned, he was decidedly of opinion that no such powers should be granted. The country had gone on borrowing for some years, and now it was very deeply in debt; and how it might ultimately extricate itself even from its present engagements, was a question with regard to which different and very conflicting opinions were held throughout the country. Some years ago the Parliament refused to give the Provincial Governments any further borrowing powers; and now, when it was found necessary to find some other power to take the place of those provincial authorities, it was proposed to give these same borrowing powers to sundry Harbour and other Boards about to be constituted. He did not think the Council would agree to anything of that sort. He thought that, except in peculiar circumstances, the borrowing powers should not be given; but the general question of the seaports was one which he thought the Council would do well

to give particular attention to. They should weigh every Bill upon its merits, and deal with it accordingly. He would support the second reading of this Bill upon those general principles, and he would also support some of the others; but he expected that large alterations would be made in every Bill as it came before the Council.

* The Hon. Mr. BONAR had only a few words to say on this subject. He was glad to see from the speeches of honorable gentlemen that the Council was determined to deal with the respective Harbour Board Bills upon their merits. He thought that there were some of them which might be allowed to stand over, while others ought to be dealt with at once.

The Hon. Mr. MENZIES had taken notes of the objections raised by honorable members, but at that late hour he would not trouble the Council with a long speech. He gathered that the general opinion was that, provided the borrowing powers were done away with, the Council would agree to the second reading of the Bill. He would have liked to see the borrowing powers retained; but he thought the Council would not agree to retain them, and therefore he would be willing to withdraw the clauses which provided for borrowing. He hoped that all the other Harbour Bills would be dealt with in the same way.

Bill read a second time.

The Council adjourned at twenty minutes to eleven o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 17th October, 1876.

First Reading—Meurant Claims—Dunedin and Clutha Railway—Tuapeka Railway—Kaimai Gold Field—Mining—Wynyard Pier—P. Stewart—Abolition—Supply.

MR. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Qualification of Electors Bill.

MEURANT CLAIMS.

MR. SWANSON asked the Premier, Whether any steps are being taken to settle the case of Mrs. Meurant; and, if not, whether the Government will consent to authorize the Postmaster-General, on his return to Auckland, to inquire fully into the matter, with a view to a final settlement without further delay? He said that this case had been for many years before the House, and there were many people—and he was one of them—who thought that a very great wrong had been done to Mrs. Meurant. In his opinion it was high time that something should be done.

Major ATKINSON said that the Government would refer the matter to the Postmaster-General for inquiry; and after that inquiry, the Government would come to a decision respecting the action they would take.

DUNEDIN AND CLUTHA RAILWAY.

Mr. BURNS asked the Minister for Public Works, If he will lay before this House a return showing the total cost of the Dunedin and Clutha Railway; also the cost of the railway bridge at Balclutha? He would be glad if the Minister for Public Works would grant his request. He thought it was right that the House and the country should know the cost of this railway.

Mr. RICHARDSON said he had no objection to furnish the honorable gentleman with the information he required on a future day.

TUAPEKA RAILWAY.

Mr. SHEEHAN, in the absence of Mr. J. C. Brown, asked the Government, If they will lay before this House a return of the cost of construction to date of the Tuapeka Railway; also, the probable additional amount required to complete the same? He had visited that district twelve months ago, when he found that the line, as far as the earthworks were concerned, had been completed, but nothing had been done towards laying the permanent way. He understood that the line was almost in the same position now. The contractors had sent in a claim for compensation, on the ground that they had incurred serious losses through the incapacity of the Engineer. He thought the Government ought to lose no time in laying the return he asked for on the table. He also thought that the Government should give the House some information as to when the Tuapeka Railway would be opened for traffic.

Mr. RICHARDSON said that on one or two occasions he had given explanations to the House on this subject. The Government had no objection whatever to give the information the honorable gentleman asked for. The cause of delay in the completion of the line was the breaking down of one of the contractors, and the difficulties with the two tunnels. The permanent way was now being laid, and the line would shortly be opened for traffic.

KAIMAI GOLD FIELD.

Mr. SHEEHAN asked the Government, Whether they are taking, or intend to take, active steps with a view to opening up the Kaimai country, near Tauranga, for gold mining? This line of country was so situated that, if it were opened up for gold-mining purposes, it would do great good to the district of Tauranga, besides increasing the revenue of the colony. He was aware that there were difficulties in the way of opening up the country, and he only wished to know whether the Government were taking steps to remove those difficulties.

Major ATKINSON said the land in question was purely Native land. The Government had instructed the Native Commissioner at that place to get the land opened up, but it had been delayed by the action of some of the settlers. The Government would, however, use every endeavour to get it opened at the earliest possible date; and he trusted that, if the honorable gentleman had any influence with the Europeans there, he

would assure them that the Government were using every possible endeavour to get the land opened.

MINING.

Mr. SHEEHAN asked the Premier, Whether any lands have been dealt with under the provisions of "The Resumption of Land for Mining Purposes Act, 1873;" and, if so, what is the acreage and position of such lands?

Major ATKINSON believed that nothing had been done with regard to this matter; but he had not received full information from all parts of the colony. He would, however, give the honorable gentleman full information on the subject at an early date.

WYNYARD PIER.

Mr. TOLE asked the Government, If they intend giving effect to the recommendation of the Public Petitions Committee in their report upon the petition of the residents of Auckland, Parnell, and North Shore, in relation to the interrupted passage to the Wynyard Pier? The necessity for the presentation to the House of the petition mentioned in the question, arose from the utter disregard of all public and private rights in the administration of the public works. In this case, reclamation works had been carried through a pier, which had been in uninterrupted use for nearly thirty years by the residents of Auckland, Parnell, and North Shore, and by the officers and crews of Her Majesty's ships, to whom the interruption of the right of passage was an annoyance and a source of frequent complaint. The Public Petitions Committee had found that the pier had been used by the public for about twenty-eight years, and that direct access to it should be given from the main street. He sincerely trusted that, after so many representations as had been made of the grievance, the Government would comply with the wishes of the public, and with the report of the Committee, by affording direct convenience of passage between Short Street and the present pier.

Mr. RICHARDSON, in reply, stated that the Government would either have to extend the crossings or to make a bridge over the railway, which would involve a large expenditure, and the Government did not see their way to incur that expenditure. It was their intention to make the crossing near Mechanics' Bay answer the purpose. A great deal of correspondence had taken place on the subject, and the Government had been advised that no prescriptive right to the pier had ever been established on the part of the public; but, even if that right had been established, the Acts of the General Assembly of 1871 and 1874 took the right completely away. The Act of that Assembly did away with any right that ever existed, and he questioned whether any such right ever did exist.

P. STEWART.

Mr. PEARCE asked the Minister for Public Works, Whether the Government will give effect to the recommendation of the Public Petitions Committee in the matter of the petition of Peter Stewart?

Mr. RICHARDSON said the contractor, instead of taking the course that was open to him, of appealing to the Engineer-in-Chief, went direct to the Public Petitions Committee. When the Engineer-in-Chief saw the evidence taken before the Committee, he said he would be prepared to recommend that some consideration be given to Mr. Stewart, but until he got some further explanation he was not prepared to say how far he would be prepared to go. If the honorable gentleman would recommend Mr. Stewart to apply to the Engineer-in-Chief, he would probably inquire into the case immediately.

ABOLITION.

On the motion for going into Committee of Supply,

Sir G. GREY.—Sir, before you put that motion, I beg to move the following resolution: That this House do resolve itself into a Committee of the whole, to consider of an address to his Excellency the Governor, that he be requested to place upon the supplementary estimates a sum of £5,000, for the purpose of defraying the cost of legal proceedings to be taken with a view of determining as to whether "The Abolition Act, 1875," and its various provisions, be *ultra vires*: such sum to be charged equally, as provincial liabilities, to the Provinces of Auckland and Otago. I will not trouble the House with any lengthened remarks upon this resolution. I may say simply that I propose to move the first portion of the motion, which provides that a sum of £5,000 should be recommended for appropriation by the Governor, leaving the latter part, as to how the sum shall be charged, to be subsequently considered. This motion appears to me to be a just one. The Government have within the last few days given us an understanding that these questions are to be settled in a friendly manner. I apprehend, therefore, that no difficulty will be put in the way of legal proceedings being taken, the Government having deprived the Superintendents of the provinces of all funds to enable them to take such legal proceedings. In justice, no action should be contemplated that would deprive the Provincial Legislatures of the opportunity of having this matter decided in the Supreme Court in this colony, or any Court of Great Britain. I feel that a sense of justice will animate the minds of honorable members, and that they will not refuse to pass this resolution. I therefore simply move, That this House do resolve itself into a Committee of the whole, to consider of an address to His Excellency the Governor, that he be requested to place upon the supplementary estimates a sum of £5,000, for the purpose of defraying the cost of legal proceedings to be taken with a view of determining as to whether "The Abolition Act, 1875," and its various provisions, be *ultra vires*.

Major ATKINSON.—I will only trouble the House with a few remarks. I trust the House, as a matter of course, will reject this motion, for the very simple reason that the House and the Government are perfectly satisfied with the course they have pursued. The House is quite satisfied that it has pursued a legal course; and

it would be a most extraordinary proceeding on the part of the House, having determined to take certain action, then to stultify itself and throw doubts on its own proceedings by finding means by which an Act of the Legislature, which is considered necessary for the good of the country, should be attempted to be upset. I say that this alone is a sufficient reason for rejecting the motion. Of course, if there are honorable gentlemen who really believe that this law is *ultra vires*, then they will naturally combine together and take action to upset it. The Government have absolutely satisfied themselves that they are within the law, or, rather, that it is within the power of the House to pass this Act, or they would not have recommended the House to pass it. The House has satisfied itself on that point also, or it would not have passed the law. We believe the Home Government have satisfied themselves on the point, or they would not have left so important a law as this to its operation. I trust the House will reject the motion.

Mr. HODGKINSON.—I hope the House will not reject this motion: on the contrary, I hope it will pass it. Although two years have elapsed since the Act has been under contemplation, the Government have not had the courage to get a satisfactory legal opinion in England as to the power of the Parliament to pass such an Act. They have not satisfied themselves or the House or the country that the Act is not *ultra vires*. It is highly desirable that the question should be fairly tested in a law Court; for, unless it is fairly tested, the country will never be satisfied, and evil consequences must be the result. I am of opinion that this question of illegality ought to have been introduced at an earlier period of the session. I had intended to bring the matter forward when the honorable member for Dunedin (Mr. Macandrew) brought forward his resolution respecting the Province of Otago, but I was unable to be in my place through sickness. I shall, therefore, take this first opportunity of stating as briefly as I can, and with the utmost candour, what I consider to be the real state of the case. I think the conduct of the Government throughout has not been such as to inspire confidence. Only a short time ago the Premier himself—and I challenge him to deny it—published a memorandum calculated to deceive the people of this country—although that might not have been his intention—

Major ATKINSON.—I do deny it.

Mr. HODGKINSON.—Well, I contend that it was calculated to deceive the people. If the honorable gentleman's conscience is clear, I cannot see into that. Certainly no other conclusion could be arrived at than that the minds of the people of the country were deceived by the publication of that memorandum. Not only was that memorandum published, but lately there has been published a despatch of the Governor, which I suppose was forwarded Home with the advice of his Ministers. I say, that a despatch more derogatory to the character of any Governor of a colony was never written. I think it was a shameful thing that Ministers should have allowed such a despatch to be sent Home. Having carefully

studied the Act and the correspondence that has taken place on the subject, I have come to the conclusion that the whole thing is utterly illegal—that the Abolition Act is of no more value than a piece of waste paper. I contend that the very fact of the Ministry not having taken a legal opinion in England during the last two years shows that they have an evil conscience on the matter, and are afraid to do so. I made a mistake, when speaking on this subject on a former occasion, in referring to the opinion of the late Attorney-General, the present Chief Justice. His opinion was not quite adverse. He did not say that the Act was *ultra vires*, but he advised the Government to take the best opinion they could in England on the point. They have not yet done so: if they had done so, they might have set the minds of the people at rest. This is not the first time that the revolutionary party, the centralizing party, has induced this Assembly to exceed its powers. On two former occasions it exceeded its powers, and had to go to the Imperial Parliament to have its Acts validated. The one case was the passing of the New Provinces Act. An Imperial Act was subsequently passed to declare valid the New Provinces Act. The other case was the passing of the County of Westland Act. That Act was rendered valid by the passing of an Imperial Act—31 and 32 Victoria. We have evidence in these cases of the Assembly having exceeded its power; and we need not be surprised that, on this great occasion, when they have undertaken to destroy the whole Constitution of the country, they should again exceed their powers. Before going further into the subject, it might be as well to state to honorable members who may not have paid much attention to it, or who may have been misled by the bold assertions of the Ministry—it might be as well to define briefly what is intended by the word "abolition." It is necessary to introduce this word when the boundaries of a province are altered, as in the case of the County of Westland Act. It is not to be supposed that the word abolition is only used in respect to the complete extinction of a province. Mr. Prendergast, in his memorandum, says: "Consequently, as the Westland County Act withdrew territory from a province which does not now exist—that is, as Canterbury Province is not now identical with the province known as Canterbury at the time of the passing of the English Act." Then, with regard to the word "any," it is quite clear that the word means individual provinces, and not the whole of them. I am informed that some years ago an Act was passed giving the Municipal Corporation of any town in Scotland the power of closing public-houses. On the strength of that Act the Municipality closed up the whole of the public-houses in the district. The case having been referred to the House of Lords, it was ruled that the closure was illegal—that the word "any" did not mean all. It is necessary, in the first instance, to start with clear ideas on this subject. The House must bear in mind that this Parliament is on an entirely different footing from the British Parliament. The powers of the British Parlia-

ment are supreme so far as the powers of any human institution can be said to be so. There is no limit to its powers. The powers of the Parliament of New Zealand are limited. It cannot go one inch further than it is authorized by an Act of the Imperial Parliament. The simple question at issue in this case is, has the Imperial Parliament authorized this Assembly to repeal the Constitution Act of New Zealand, especially clauses 3, 17, and 18, which refer to the Superintendents of Provinces and the Provincial Councils? I contend that it has not. It must also be borne in mind that the provinces receive their powers direct from the Imperial Parliament, and not through this House. If there is any exception to that rule, it would be in the case of the new provinces when they derive their power from this Assembly; but the British Parliament is the ultimate source of power. The powers of this Assembly are limited. That is a very material point to bear in mind; in fact the whole question hinges on it. I feel quite sure that a great number of members are totally ignorant of this. They think this Assembly has power to abolish the provinces, a majority having been returned to enable it to do so, and therefore the thing is legal. I regret very much that there are so many members of this Assembly who have paid no attention whatever to the constitutional question. The first proposition I wish to establish is, that the powers of the General Assembly are derivative, not inherent—being derived from the Imperial Parliament; the second is, that the powers of the Provincial Governments are also derived from the Imperial Parliament; the third is this, that the Imperial Parliament was requested to pass an Act—the Act 31 and 32 Victoria, chapter 92—for the purpose of validating “The County of Westland Act, 1867,” “and of giving further powers to the Legislature of this colony, to enable it to make any alterations in the existing provincial institutions which circumstances may render necessary.” I quote from Sir G. F. Bowen’s despatch. I shall refer to the correspondence which took place respecting that Act, and first to a memorandum of a Minister then in office. The first is a memorandum by Mr. Stafford, enclosed in a despatch from Sir George Grey, dated November, 1867, giving a synopsis of the Acts passed. I will read this passage, referring to the County of Westland Act:

“A doubt having been expressed as to whether it was competent to the New Zealand Legislature to pass such an Act, and it being obvious that there should be no doubt as to its power to do so, it is requested that if this doubt is shared by the Law Advisers of the Crown in England it may be set at rest by Imperial legislation.”

Then Mr. Stafford goes on to ask increased power; and I will read his words, which are utterly inconsistent with the idea of the Assembly having power to abolish the whole of the provinces:

“Any Act passed with that object should also confer on the New Zealand Legislature full powers to provide in all cases for the government of any province, the special circumstances of which may require from time to time changes in the form of government.”

Every member will see that is utterly inconsistent with the idea of the total abolition of the provinces. The next is a memorandum from Mr. Stafford, enclosed in a despatch from Sir George Grey in 1867, in which Mr. Stafford goes very largely into the question of the legality of the County of Westland Act. He says,—

“Moreover, having regard to the present condition of several of the provinces, and the increasing belief entertained that they will not be able much longer to maintain the present provincial system, it is considered expedient that ample power should be given to the General Assembly (if it does not already possess it) to establish such form of government in any of the existing provinces, and to make such disposition of the revenue, as circumstances may from time to time require.”

The next memorandum is from the Hon. John Hall, in which he thus refers to a Bill which, he says,

“—it is proposed to introduce into the Imperial Parliament for the purpose of removing doubts as to the validity of the Act of the General Assembly entitled ‘The County of Westland Act, 1867,’ and of giving further powers to the General Assembly to enable it to make any alterations in the existing provincial institutions which circumstances may render necessary.”

The expression altering the existing system, as it stands, is utterly inconsistent with the idea of the total abolition of the provinces. In a despatch sent Home by a former Governor, the matter is referred to in this way:—

“For the purpose of removing doubts as to the validity of ‘The County of Westland Act, 1867,’ and of giving further powers to the Legislature of this colony to make any alterations in the existing provincial institutions which circumstances may render necessary.”

All these recognize the continuance of provincial institutions, and are utterly inconsistent with the total subversion or sweeping away of them. The next proposition I have to state is this: that the said Act 31 and 32 Victoria was introduced into the Imperial Parliament and was passed through both Houses of Parliament without any debate whatever. A reference to the English *Hansard* shows that not a single member of either House spoke upon the subject; and I would ask honorable members, is it possible that the British House of Commons, if they had been cognizant that they were asked to pass an Act enabling the General Assembly to destroy the whole Constitution of New Zealand, would have passed it in such a perfunctory manner? In the Imperial *Hansard*, the only record I find in respect to this Act is this:—

“*New Zealand Assembly Bill.*—On motion of Mr. ADDERLEY, Bill to declare the powers of the General Assembly of New Zealand to abolish any province in that colony, or to withdraw from any such province any parts of the territory thereof. Ordered to be brought in by Mr. Adderley and Mr. Selater-Booth. Bill presented and read 1st June.”

That is all that appears in the English *Hansard* with regard to this Act, under which Ministers

seek to destroy the Constitution of New Zealand. Is it possible that the British Parliament would have passed such an Act as Ministers claim they passed in such a way? No man with a conscience could assert such a thing. I may make another assertion, that the Imperial Parliament has never been asked to pass, nor has it passed, any Act to enable the General Assembly to repeal clauses 3, 17, and 18 of the Constitution Act. In this case I have to prove a negative, and the only way members can be satisfied is for them to search to see whether they can find such an Act. I maintain that no such Act has ever been passed. I will now read an extract from a memorandum by Mr. Prendergast, then Attorney-General:—

"I think that, as this is a declaratory or validating Bill, it should, in its phraseology, assume that the Westland County Act was valid from the time of passing of that Act; consequently, as the Westland County Act withdrew territory from a province which does not now exist, that is, as Canterbury province is not now identical with the province known as 'Canterbury Province' at the time of passing the English Act in 1862, nor at the time of passing the Westland Act, the words 'now or hereafter established' should be 'at any time heretofore established, or which may hereafter be established.' If the word 'now' remained, it seems to me that the effect of the Bill, as validating the Westland Act, would be open to grave question."

This is essentially a validating Act. It is true that Ministers of the day did contrive in a surreptitious manner to get inserted into the Act additional powers. I consider this was utterly unwarranted. There had been no desire expressed on the part of the provinces that additional powers should be given to this Assembly, or even on the part of this House. It was neither more nor less than a part of that system of plotting and undermining the Constitution which the honorable member for Timaru has practised during the whole of his career. If the honorable gentleman was in his place I would tell him he has been a conspirator from the day I have known him. What was necessary, and what the Ministry of the day were entitled to ask for, was to have the County of Westland Act validated, and remedy its illegality. That Act had been passed with the sanction of the House and the country, and they were warranted in asking that it should be validated; but they were not warranted in gaining increased powers to be used in the undermining of the Constitution. The validating Act, with the additional powers asked for, gave power to the General Assembly to abolish any province; but it does not give power to abolish all the provinces simultaneously. In proof of that, I may read again what the Ministers say. Mr. Hall stated, "to make any alteration in provincial institutions rendered necessary." Every one knows that alterations do not mean total destruction. Mr. Stafford wrote to the same effect:—

"Moreover, having regard to the present condition of several of the provinces, and the increasing belief entertained that they will not be able much longer to maintain the present provincial

system, it is considered expedient that ample power should be given to the General Assembly (if it does not already possess it) to establish such form of government in any of the existing provinces, and to make such disposition of the revenue, as the circumstances may from time to time require."

Here you have the expression "several provinces," showing he had not in his mind the whole of the provinces. Then the despatch of the Duke of Buckingham and Chandos is quite conclusive. His words are, "and for the purpose of validating the County of Westland Act, and also for making alterations in the provincial system of New Zealand, by giving further power to meet, by legislation, requirements then existing, or which might be expected to arise." From the whole correspondence, it is quite clear that such a thing as asking for legislation to enable this House to sweep away the whole of the provinces had never entered the minds of the Home Government, of the Governor, or of the Ministry of New Zealand. Ministers have now, in a very unjust manner, striven to sweep away these institutions, and they have not the courage to take an opinion as to the legality of their proceedings; but they have put forward a memorandum calculated to deceive this country and the Home Government, and have dragged the honor of the Governor into the dust by advising him to send Home the despatch of June last. If it were possible that such a punishment should be inflicted upon them, it would be right that they should be impeached for what they have done. Having read the despatches and correspondence, showing what the spirit of the Act is, I will show its literal meaning. I am aware that the Ministry now in office and their supporters have not acted in an honorable or fair manner in this matter, and therefore I have no doubt that they will take advantage of the literal meaning of this Act to make it cover as much ground as possible. However, I will now go into the question of the literal construction of this Act. Let us suppose it is to be dealt with by an Old Bailey lawyer, or by any unscrupulous individuals—in fact, as unscrupulous as the Ministry and their adherents have proved themselves to be. I will first read the Act:—

"31 AND 32 VIOT. CAP. XCH.

"AN Act to declare the Powers of the General Assembly of New Zealand to abolish any Province in that Colony, or to withdraw from any such Province any part of the Territory thereof." [31st July, 1868.]

"WHEREAS by the third section of an Act of the session holden in the twenty-fifth and twenty-sixth years of Her Majesty, intituled 'An Act respecting the Establishment and Government of Provinces in New Zealand, and to enable the Legislature of New Zealand to repeal the seventy-third section of an Act intituled "An Act to grant a Representative Constitution to the Colony of New Zealand," it was provided that it shall be lawful for the General Assembly of New Zealand,

" "This Act was rendered necessary by doubts as to the validity of 'The County of Westland Act, 1867.'"

by any Act or Acts to be by them from time to time passed, to establish or provide for the establishment of new provinces in the Colony of New Zealand, and to alter or to provide for the alteration of the boundaries of any provinces for the time being existing in the said colony, and to make provision for the administration of any such provinces, and for the passing of laws for the peace, order, and good government thereof: And whereas doubts are entertained whether the said General Assembly have power under the above-recited enactment, or otherwise, to abolish any such province now or hereafter to be established, or to withdraw from such province any part of the territory comprised therein, except for the purpose of including the same within the limits of some other such province; and it is expedient that such doubts should be removed:

"BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, as follows:—

"(1.) The General Assembly of New Zealand shall be deemed to have, and since the passing of the aforementioned Act to have had, the power of abolishing any province at any time heretofore or hereafter to be established in New Zealand, and of withdrawing therefrom the whole or any part of the territory comprised therein, and of passing laws for the peace, order, and good government of the territory so withdrawn from or ceasing to form part of the territory of any such province, whether such territory shall or shall not be included within the limits of any other province of New Zealand; and also the power of making from time to time such provision as to such General Assembly shall seem expedient relating to the effect and operation of any such withdrawals of territory in or with respect to the province from which such territory shall have been withdrawn, and the Superintendent and members of the Provincial Council thereof for the time being in office, and the laws in force in such province at the time of such withdrawals of territory therefrom."

If this Act had been intended by the Imperial Parliament to give this Assembly power to repeal the Constitution Act, or at all events those clauses which constituted the provinces, it would have appeared on the face of it. I may add, too, that the Ministry would have asked for such an Act in the first place. But nothing of the kind. It is something entirely different. What appears here is that certain doubts were entertained as to the power of the Assembly, under the Act 25 and 26 Vict., entitled "An Act respecting the Establishment and Government of Provinces, &c." to detach a part of the Province of Canterbury and constitute it into the County of Westland; and in order to remove such doubts this Act was passed. On the face of it, it must appear to any one of common sense that an Act removing doubts as to the operation of an Act constituting new provinces could not be an Act giving power to abolish all the provinces. It is utterly contradictory and opposed to reason. I do not wonder at the Minis-

try believing that it gave them such power from what I have seen of them; because it is with them a question of heart and not of mind, and their feelings are so involved that they can consider nothing without bias. They try to strain this Act; but to any one of common sense it is perfectly plain that this Act was not intended to abolish all the provinces. How is it possible that an Act which is to remove doubts as to the power to create new provinces should give power to destroy the whole of the provinces? The thing is absurd. Here is the wording of the preamble: "And whereas doubts are entertained whether the said General Assembly has power to abolish any such province now or hereafter to be established." That shows that it contemplated the creation of new provinces. How, then, can an Act which contemplates the creation of new provinces be said to be an Act giving power to abolish all the provinces? Then it goes on to say, "or to withdraw from such province any part of the territory comprised therein." That clearly contemplates the existence of the provinces; for if only a part of a province is to be withdrawn, a province still exists. Then it says, "any part of the territory comprised therein, except for the purpose of including the same within the limits of some other such province." That is the third time already in which the Act asserts the continued existence of the provinces. I hope honorable members will exercise their common sense in judging of this matter, and not be misled by the confident assertions of the Ministry. Then it goes on, "Be it therefore enacted"—and so on—"The General Assembly of New Zealand shall be deemed to have, and since the passing of the aforementioned Act to have had, the power of abolishing any province at any time heretofore established or which may hereafter be established." That is most conclusive as showing that the provinces could only be dealt with individually, and not collectively, particularly when it is read in connection with the correspondence of Mr. Stafford, Mr. Hall, and the Government which I have read. That is the fourth time that the continued existence of the provinces is contemplated by this Act. "Or of withdrawing therefrom the whole or any part of the territory comprised therein,"—still contemplating the existence of the provinces. That is the fifth assertion that the provinces are to remain. Then it goes on, "and of passing laws for the peace, order, and good government of the territory withdrawn from or ceasing to form part of the territory of any such province, whether such territory shall or shall not be included within the limit of any other province." That is the sixth time in which the continued existence of the provinces is contemplated by this Act. We next go on to read, "And also the power of making from time to time such provision as to such General Assembly shall seem expedient relating to the effect and operation of any such withdrawal of territory in or with respect to the province from which such territory shall have been withdrawn." That is the seventh time in which the provinces are asserted by this Act to exist. "And

the Superintendent and members of the Provincial Council thereof for the time being in office, and the laws in force in such province at the time of such withdrawal of territory therefrom." That is the eighth time that the continued existence of the provinces is asserted. I contend that it does not require a lawyer to interpret that Act. No man with brains enough to bait a mousetrap could be entrapped even by the most astute lawyer into believing that that Act gave power to abolish all the provinces. The whole thing is absurd and ridiculous. Considering the correspondence I have read, I think not even the most unscrupulous man could extract from that Act a power to abolish the provinces. I am sorry the honorable member for Timaru, who was at the head of the Government at that time, is not present; but I think I am at liberty to expose the very unwarrantable action he took in connection with this matter. In the first place, he surreptitiously obtained these increased powers. The Act was first meant to validate the County of Westland Act; and, in order to do that, it was necessary that it should be able to take away part of the territory of a province; but the honorable gentleman surreptitiously obtained power to take away the whole of the territory of a province. Still, however, the Act only gave power to deal with the provinces individually, and the construction of the Act shows that it prohibits the dealing with them collectively. I therefore feel warranted in accusing and indicting the Ministry of that day,—That, when applying to the Imperial Government ostensibly for an Act to validate the County of Westland Act, they did, without the cognizance of the electors of the various provinces, secretly obtain in said Act increased powers to enable the General Assembly of New Zealand, under certain circumstances, to abolish any province, and to place a part or the whole of the territory under a different system of government. I think it would be in accordance with parliamentary government to impeach them for this; for they had no right, in this secret manner, to endeavour to destroy the balance of the Constitution, and get increased powers, without the sanction of the people. I am glad to see the honorable member for Timaru now in his place, for I have something more to say on this point. I may say of that honorable gentleman now that, if he had fulfilled his proper duty as leader of the Opposition, and done what he could to check the profligate expenditure which has been going on during the last few years, if he had advanced his opinions in a proper way, and if he had waited until the colony had accepted this change of its own free will, I should with much greater pleasure have supported him than I have now in speaking of him as I am bound to do. I believe this plotting for abolition is the one dark spot on his character, like a black spot on a fair white ground. I do not wish to judge him by his action in that matter alone. I believe he has qualities that go far to constitute a great statesman; but when once he mounts this hobby of Centralism, his steed takes the bit between its teeth and runs away with him, trampling all other considerations under foot.

What I wish to say is this: Although I do not admit that the Government can prove that this Assembly has power to abolish the provinces, yet, if they could, they would at the same time prove that they had obtained that power from the Imperial Parliament by improper means. I put it in this shape:—That, if they could prove their assumption that 81 and 82 Victoria gave the General Assembly power to pass the Abolition Act of 1875, then and in that case they obtained the said Act fraudulently, its full scope and object not having been made apparent to the Imperial Parliament. But the power which the honorable gentleman then sought to obtain is utterly incompatible with the power to pass a sweeping measure for the abolition of all the provinces. As the honorable gentleman was not present in the earlier part of my remarks, I will take leave again to read for his benefit the words which he himself used in asking that the Act should be passed by the Imperial Parliament to remove doubts as to the validity of the Westland County Act. He says,—

"Any Act passed should also confer on the New Zealand Legislature full powers to provide in all cases for the government of any province the special circumstances of which may require from time to time changes in the form of government."

Then he says,—

"Moreover, having regard to the present condition of several of the provinces, and the increasing belief entertained that they will not be able to much longer maintain the present provincial system, it is considered expedient that ample power should be given to the General Assembly—if it does not already possess it—to establish such form of government in any of the existing provinces, and to make such disposition of the revenue, as circumstances may from time to time require, without regard to the provincial divisions and forms of government hitherto subsisting."

I defy any one to say that the Imperial Parliament could on that application have understood they were asked to get an Act passed giving this Assembly power to abolish all the provinces, and sweep away the whole Constitution of New Zealand. It is quite definite what they were asked for—namely, increased powers from time to time to deal with the several provinces as circumstances required. The Imperial Parliament was requested to pass 81 and 82 Victoria, cap. xxi. : an Act to declare the powers of the General Assembly, &c., "for the purpose of validating 'The County of Westland Act, 1867;' and also for making alterations in the provincial system of New Zealand, by giving the General Assembly further powers to meet by legislation the requirements then existing, or which might be expected to arise." We all know what "alteration" means. It does not mean total destruction and obliteration off the face of the earth. Here, again, is the Hon. Mr. John Hall's memorandum:—

"His Grace the Duke of Buckingham and Chandos, in his despatch No. 20, of the 25th February last, encloses a draft of a Bill which it is proposed to introduce into the Imperial

Parliament, for the purpose of removing doubts as to the validity of the Act of the General Assembly intitled 'The County of Westland Act, 1867,' and of giving further powers to the General Assembly to enable it to make any alterations in the existing provincial institutions which circumstances may render necessary."

And the despatch of the Duke of Buckingham to the Colonial Secretary is directly to the same effect. He says,—

"As it appears, however, that an alteration in the existing provincial system of New Zealand is urgently needed, Her Majesty's Government propose to introduce a Bill into Parliament for the purpose of giving further powers to the General Assembly of the colony to enable it to meet, by legislation, the requirements now existing and which may be expected to arise."

This evidently contemplates a gradual change by dealing with each province separately; and I am exceedingly sorry to see the course the honorable member for Timaru has taken. In contending that this Act gives the House power to abolish all the provinces, he has convicted himself of having obtained it from the British Parliament in an improper way, not making them cognizant of the objects which he had in view. I have also to state the following proposition:—That "The Abolition Act of 1875," being passed in the last session of an expiring Parliament without an appeal to the constituencies, was in contravention of all constitutional usage and propriety, and of the rights of the electors of the various provinces, and of justice and morality. Now, I am aware that the assumption of the Ministry and their supporters is that this House has power to abolish the provinces without reference to each existing province. I entirely differ from them. Indeed, such an assumption is totally inconsistent with federal government. Where a Federal Government exists, it is not competent for the General Legislature to abolish any province. What can be done is, that under certain regulations constitutional amendments may be made. Thus, for instance, in the United States it is not required that every State should consent to constitutional changes; but a majority of three-fourths is necessary. But these changes are only trifling matters, and such a thing as the abolition of any State has never been contemplated. When the Canadian Dominion was constituted, the different provinces were invited to join voluntarily, and the Federal Government dared not attempt to abolish one small province—Prince Edward's Island—half the size of Southland, which held aloof for years. So, Sir, I contend that in any system of federal government—especially in ours, where the Constitution was granted direct from the Imperial Government—it is absolutely necessary that the question of abolition should be submitted properly to every Government affected. It may be said that, instead of that, we have an Imperial Act; but the most that can be made out of that is, that it may give the House power, under certain circumstances implied, to abolish individual provinces, and place their territory under a different system of government; and that must be done

separately. But that, I must say, is not at all in accordance with the spirit of the Constitution of New Zealand. I do not wish to occupy the House any further. My object is that something may be known, both by members of this House and the country, on this question. I am sure that even members of the Opposition have not studied this question thoroughly; and the confident bearing of the Ministry has intimidated them. The Government and their supporters have said that those who may oppose the Abolition Act will be rebels; but it is desirable that the House and the country should know that this Act is utterly illegal, and has no more validity than a piece of waste paper, and that the provinces are not bound to pay the least attention to it. I hope they will not; and even in the case of the provinces which wish for abolition, it will still be necessary for them to go to the Imperial Government to enable them to give up their trust. They are in the position of stewards, having had certain powers intrusted to them by the Imperial Legislature; and they cannot abandon that trust without going to the Imperial Parliament. Even if this House had a right to abolish the provinces, still the General Government is in duty bound to have a two-thirds majority, which they have not; and they should also have referred the question to a new Parliament, whereas we know that they pushed the Abolition Act through during the last session of the most corrupt Parliament we ever had in New Zealand. I have no hesitation in pronouncing that Act to be a thoroughly revolutionary and destructive measure. If any one thinks these expressions are too strong, I shall quote from *Hansard* a speech delivered by an honorable member in another place, who said,—

"This Bill is a destructive Bill: it sweeps away institutions which have been in operation for a great many years. . . . Before the Abolition clauses come into operation, it is probable that another session of the Assembly will take place, and an opportunity then be given, which, I trust, will not be lost, of making further preparations for the revolution which we are passing through—a revolution which, if it occurred in many countries, would be discussed over barricades."

That was actually said by a member of the Upper House who voted for the Bill. I do not hesitate to describe the gentlemen sitting on those benches as a revolutionary Committee. Under the name of a Ministry professing to carry on the government constitutionally, they are carrying it on more like a revolutionary junta. They are a revolutionary body, not entitled to the respect of this House or of the country. I have no animosity against honest Abolitionists, who I believe are as patriotic as we are; but I have a great quarrel with the Ministry for what they have done. They have treated me and the other electors with the rankest injustice, in having passed the Abolition Act in the last corrupt Parliament, without referring it fairly to the people. When the matter was referred to the people, it was not done fairly, because the feeling of the opponents of Abolition was that the thing was

done and they could not prevent it. I say that in every way their conduct was unconstitutional and unfair. Little as I think of the wisdom of the Government, they have sufficient wit to know—as all revolutionists know—that a bold and confident bearing goes a long way. I can recollect reading a saying of the famous Danton, that the great secret of success is *sudacity à l'audace encore l'audace, toujours audace*. The Government have ample wit and wisdom to understand that. That is the secret of their success. I hope that in my province this Abolition Act will be ignored completely. If the revolutionary Committee sitting on the Government benches attempt to interfere with the legally constituted authorities of the Province of Otago, there are the police and the law-courts to appeal to; and if those ordinary means are not sufficient, surely there are plenty of loyal and peace-loving constitutional subjects in Otago, who could be sworn in as special constables. I see no difficulty at all in the matter. All the right and law and the Constitution is on the side of the provinces, and the General Government cannot attempt to enforce this Abolition Act. But even in that most disreputable despatch which was sent Home the other day, they treat the idea as a bad joke.

MR. SPEAKER.—The honorable member should not use such language.

MR. HODGKINSON.—I always bow to your decision, Sir; but when I and my party have been denounced as rebels, I think a little license should be allowed. If the Government had a good conscience in this matter—if this abolition measure had been carried out in a constitutional, legal, and just way—then they would have no hesitation in using force. I shall have a further opportunity of speaking on this subject when the Permissive Abolition Bill is brought up. I hope that honorable gentlemen will take the trouble to read the documents I have referred to, and form their own opinions, and not allow themselves to be misled by the Ministry. I shall now conclude by saying that I shall support the resolution of the honorable member for the Thames, as I think it is desirable that something should be done at once. The proposition of the honorable gentleman is a most fair one, as the expense is to be borne by the provinces which are anxious to test the question. If the Government oppose this motion, it will be, to my mind, only another evidenced that their conduct will not bear the light, and that they dare not go to law. I hope, however, that they will agree to pass this motion, and I may on another occasion have something to say on this question.

MR. REID.—I hope the Government will see their way to agree to this motion. At the same time I think this is a matter which requires a great deal of consideration. There is a very strong feeling throughout the country on this question of abolition. The people are thinking whether or not they will take steps to resist the action of the Colonial Government in bringing the Abolition Act into operation. We wish the question to be put to the Supreme Court to decide, and, if it decides that the Act is illegal, I say that the expenditure of £5,000 or £10,000

would be a trifle as compared with the unseemly spectacle we should present to the world if we were to get up strife about it amongst the people. While I do not agree with all that the honorable gentleman who has just sat down has said, I would put it to the Government that if those provinces which are named in the motion were to set themselves in opposition to the authority of the Government the credit of the colony would be injured, and it would tend to loosen the respect for the law of the land, which would be a matter seriously to be deplored. I think that, if we can test the question in the Supreme Court, the money that would be spent would never have been better spent. I shall vote for this motion, and I hope other honorable members will do the same. I say that, in my opinion, even £50,000 would be a small matter if the minds of the people were set at rest on this question. I have no wish to take up the time of the House at this period of the session, but I would urge upon honorable members the necessity of agreeing to this motion, with the view of having the question tested. That is the only way of allaying the doubts that now exist. I believe that the decision of the Supreme Court would be accepted, whichever way it goes.

AN HON. MEMBER.—The decision of the Court in New Zealand will not be accepted as final.

MR. REID.—Why not? I believe that the Judges of the Supreme Court in New Zealand would give their decision strictly according to law. For my own part I do not believe that lawyers are very much better elsewhere than they are here. I would urge very strongly on the Government that they should waive their objections to this motion. Political privileges are involved here, and we have one portion of the population who feel themselves aggrieved because they believe that their political privileges have been taken away from them by an Act which it was beyond the power of this Parliament to pass. When it has come to that, I do not think it is unreasonable to ask that the question should be settled at the public expense. I submit that the expense of testing the question should be borne by the colony, and I presume that if the Government have to defend the case, it will be at the expense of the colony. I think it would be very unwise on the part of the Government or their supporters to oppose this motion. I myself shall certainly support it, and I hope the honorable member for the Thames will take a division on it, in order to see what the feeling of the House is. I say that it will be one of the strongest points in favour of the Government this session if they assent to this motion.

MR. TOLE.—Sir, I rise simply for the purpose of expressing my surprise at the inconsistency of the Premier in endeavouring to dispose of this motion in the manner proposed by him. On a previous occasion, during this session, in the discussion on the Provincial Abolition Act, I find that the honorable gentleman said,—

“I will point out to the honorable member for the Thames that he was a consenting party to the passing of the Act, and that whether or not the Abolition Act is *ultra vires* is a question for

the law-courts to decide. If he likes to fight it in a constitutional way, by appeal to the Courts, of course it will be quite reasonable."

This surely, did not imply a suit at the private cost of an honorable member; and, now, after saying that, he tries to cast aside this question, as if it were merely one affecting a bridge or a road, instead of the existence of the Constitution. I desired, therefore, to remind him of what he has already said on the subject. It is clear that it will not do for the House to pay attention to all the ephemeral utterances of the Premier, if they can be so soon ignored by himself.

Mr. REES.—Sir, I would ask whether it is not the duty of the Government not only not to oppose this proposition of the honorable member for the Thames, but to accede to it willingly. In fact, it was, in my opinion, the duty of the Government to start such a proposition as this themselves. The question before the House and the country now is as to whether the power to pass the Abolition Act be or be not within the power of this House. It is a matter of public notoriety that in some parts of the country this question is exercising a great deal of influence on some people's minds. Some honorable members of this House will not believe that there is any probability of any resistance being offered to the Abolition Act, but it is known that such resistance is contemplated in many parts of New Zealand. The people believe that Parliament had not the power to pass the Abolition Act. There were two questions to be decided—namely, whether it was right in constitutional law to pass such an Act without obtaining the consent of the different Legislatures affected by it, and whether in any case this Assembly had the power, under the Constitution Act, of passing such an Act. That is a question which it is proposed to test. I am astonished that the Government should oppose this motion. I should like to know whether the Ministers will themselves become responsible for the costs if the decision is against the Government. I am sure they would never agree to such a thing. As far as the Provinces of Otago and Auckland are concerned, does the House suppose that if those Provincial Councils had met they would not have voted the money now asked for out of the provincial funds for the purpose of testing the question? I should be very sorry, on a question of this sort, to assume a tone of defiance, or to attempt in any way to assume a dictatorial manner; but, as a matter of pure argument and sound political common sense, I would submit that the very best test of the sincerity of the Government, the very best test of the feeling of the whole of the communities, especially those in the extreme north and south of the colony, will be found in the Government agreeing to the motion of the honorable member for the Thames. It is impossible to put the objection of the Government on the ground of economy; there will be far less economy in refusing it than in granting it. Do the Government suppose that men of determination, resolution, courage, intelligence, and ample means will tamely submit to such a wrong? If I have read aright the history of all great

countries, and of the British colonies themselves, men did not usually submit to such wrongs, such indignities, without forcibly making their feelings known. Where punishment was brought upon them not by any act of Providence, not by any unforeseen calamity, but by the strong hand of might, men of spirit in all ages have resisted to the utmost. They were never known to tamely submit to such attempts as this. Putting aside the justice and the righteousness of the cause, I would point out that this is a peaceable battle, and should be decided in a peaceable way. The great countries of England and America had not recourse to arms in the case of the blockade-runners that entered the American ports during the war between the North and the South. If they had had recourse to the arbitrament of arms the cost in money and bloodshed would have been incalculable. To have decided by the sword the incipient quarrel, which was settled at Geneva by just arbitration and conference, would have been disastrous to both countries. And who does not believe that the day is fast coming when quarrels like these shall be determined by reason and justice, and not be left to the strong arm of might? We know that the strongest battalions do not always fight on the right side, and in this case the question at issue is of such importance to the parties on both sides, to the central Government as well as to the Provincial Governments, whose existence is declared to be at an end, that it is surprising to me that the Government do not approach it in a more conciliatory spirit. It is just as important to me in the one case as the question of the blockade-runners was to England and America in the other. The grievous feeling that existed in that case would have led to a war between those two great States, had not wise counsels prevailed. And had it always been so, had men been inclined to concede something, to meet on a common platform, where the question at issue could be reasoned out, and the judgment of a competent tribunal obtained, history would have been robbed of much of that which has darkened its pages, and left a blot for all time. If the question were not decided in the first instance in the Supreme Court it could be taken to the Court of Appeal; and, if necessary, to that final Court of Appeal for the whole colonial Empire—the Privy Council, where the case would be judged dispassionately by men well versed in the laws not only of this colony but of the whole Empire; men whose names are synonymous with justice; men who are celebrated for upholding the integrity and honor of the country. If we can obtain the arbitrament of these men, the question will be for ever settled. It rather shows fear for the decision of such a tribunal that the Government should decline to refer the question to it; while, on the other hand, it shows that the provinces concerned desire not to allow anything in the shape of violence to take place, but rather to submit to the peaceful judgment of the Courts. No other motive actuated the honorable member for the Thames in moving this motion. As to the proposal of the Premier, that the gentlemen named should themselves bear the brunt of the struggle, I

would remind him that wherever a Government has forced the people to test their rights at their own cost they always adopted their own means; and with what result? Why, that the Government came to grief. There are historical instances of that—Hamden, the Seven Bishops, and the case of the American States. There is not a single instance where the Government has enforced its powers against the rights of individuals that it has not utterly come to grief. That is not a position the Government should place itself in. They are not asked to cast any undue burden upon the people; they are not asked to do anything unjust; they are asked to test a great constitutional question. There might arise circumstances which would render it necessary that the Government should themselves go to law. Suppose the property of the provinces were held by those who believed they had a right to it, I do not suppose the Government would appeal to force; they would go to the law-courts. But would the proceedings be conducted at the personal expense of members of the Government? Certainly not. Neither individually nor collectively would they do any such thing; nor would the country expect them to do it. It would not be right. Where public rights are concerned in a large constitutional question like this, individuals are out of the question. Committees become affected by their proper organism, their proper officers; and individuals are not known as individuals. It is upon the provinces, the Provincial Councils, the Provincial Superintendents, the responsibility rests. They are called upon in their official capacities to defend the public rights, and therefore the funds necessary to carry on such a war in the law-courts should be provided by the country, and not by individuals. That proposition is so self-evident that I fail to gather the reasons upon which the Government oppose the motion. Do the Government mean to say that £5,000 or even £10,000 would not be well spent in such a case? Do the Government mean to say that this House, which has prevented the Provincial Councils from sitting, and declared that the hands of those Councils shall be tied up, will refuse to follow the course which would have been adopted by those Councils? Is that the way in which the Government propose to show the benefits of the new system they are inaugurating? That is a poor example of the benefits that will result to the people. They should be rather glad and joyful to think that it was proposed to appeal to the arbitration of the law. If the decision of the Courts was against them, the provinces would say, "If we must do this, we bow to it. However we may feel grieved, however grievously we may believe that we have been wronged by the law, it is necessary to the maintenance of the dignity of that law that we should respectfully obey it." But the Government say, "You shall not go into the Court as Superintendents of provinces or Provincial Councillors. You shall not go into Court in any official capacity whatever. You shall be destroyed without your voice being heard; and, if you wish to go into Court, you must go as individuals." But no individuals would have a

locus standi in Court. If any one went into Court and said the provinces should not be set aside, the answer would be, "Who authorized you to come here?" What solicitor would appear unless he were authorized by the Superintendent as Superintendent of the province? No member of the Bar would do it. He would be asked upon what authority he acted, and, if he had no authority, he would have no right to argue a case which affected the right of corporate bodies known to the law. To defend his own existence was the first duty of the Superintendent to the community in which he lived; and, unquestionably, the Provincial Council of the province would have voted the necessary funds; but this House has taken it out of the power of the provinces to do so; and, as it has made formal appropriations to the Ministry of the day for provincial purposes, it ought to provide the funds. When a prisoner is arraigned before a jury upon a capital offence for which he may suffer death, the very first thing the Crown does is to provide a proper officer of the Court to conduct the defence of that person. There is no such thing as a person being tried for an offence which would put him out of existence without his being heard by counsel; and in a great constitutional question like this, when the House has taken away the power of the provinces to do anything for themselves, it should not decline to provide funds to test such a question. I trust Ministers will think over the matter, and say whether they are not taking a very false and wrong step indeed—a step which will prejudice them in the minds of the public of the Colony of New Zealand—a step which will certainly prejudice this House and Ministers themselves in the minds of calm and thoughtful people at Home. I should like to pay a compliment to the honorable member for Riverton, for the care and attention which he has bestowed on this subject, which presented few features of interest to any one not a member of the legal profession. The honorable member has argued the case very clearly, and with a great deal of legal power, with just criticism and due caution. I think what he has said should be sufficient to show Ministers, if they are really desirous for the benefit of the people, if they are really desirous for the benefit and advancement of the country—that they would be acting rightly in at once acceding to this motion—that they would willingly lend all their help and assistance to have this question properly tested before the legal tribunals of the colony. I hope the Government will reconsider their decision, inasmuch as it can do this House or the country no good to refuse the motion. It should not be said that the Government or this House are determined to prevent justice being done; that they are determined, whether they are right or wrong, to carry out that which they have made up their minds to. That is not a position for any Government to take; it is not a safe position for any Government to take up; it is not a right or just position—it is not a position which a Ministry that loved the country, that desired to see its progress or its happiness, would willingly take up. I trust the

honorable gentlemen will give to the subject that consideration which it demands, and that on due consideration they will see that the proposal of the honorable member for the Thames is the most reasonable proposal which could have been offered. It seems to me to be the only way out of the difficulty. It is the only means of quietly and calmly determining the question, and of coming to a fair and just decision on a matter which hitherto has evoked so much hostile spirit—which spirit seems at any rate not yet to have been allayed in the slightest degree. I trust Ministers will reconsider their determination; that they will see that they can, without the least loss of dignity, allow the motion of the honorable member for the Thames to be carried; that they will show that they are prepared to face any difficulties that may be in the way, and to test the question in a thorough spirit of uprightness, fairness, and justice.

Mr. WHITAKER.—It is not my intention to follow the honorable member for Riverton through the long legal argument with which he favoured the House. I say this without any disrespect to the honorable gentleman, but this question as to whether the Abolition Act is *ultra vires* or not has been discussed for two sessions from day to day, and it appears to me that nothing new can now be said on that subject. If I followed the honorable gentleman through his long legal argument, and showed the erroneous principles he laid down, I should only be wearying the House without tending to any good result. The whole subject has already been laid before the House, and I shall confine myself entirely to giving other substantial reasons why this resolution should not be agreed to. I shall do so without any feeling, or casting any imputation on anybody in any way whatever. I put aside altogether the very strong expressions used by the honorable member for Riverton without any necessity whatever. I have only to say that in his legal argument he has misled himself. If the honorable gentleman had had any experience in discussing legal questions he would have excised a great deal of his speech, in which he endeavoured to cast imputations and doubts as to the motives of other people. It is not necessary for me to enter upon any legal arguments in dealing with the question now. I had occasion the other day to speak on the subject. I then endeavoured to put before the House exactly the position in which the authorities on all sides stood. I shall leave the question entirely in that position, and endeavour to say a few words in answer to the honorable member for the Thames and the honorable member for Auckland City East. It seems to me that the argument of the honorable member for Auckland City East was fallacious. He assumed that the Superintendents have no power to do anything, because he says their powers are taken away by this House. That is a direct contradiction to his statement that the Abolition Act is *ultra vires*. If the law is *ultra vires*, then the Superintendents may lawfully act as Superintendents at the present time. The Provincial Councils have all the powers they ever had, and the Superintendents all the powers they ever had. One portion of the

honorable gentleman's argument is entirely inconsistent with the other. If the Superintendents are not abolished by this Act—if the powers of the Provincial Councils are not taken away—if, in other words, the Act is *ultra vires*—then it is, in my opinion, perfectly competent for the Superintendents and Provincial Councils to use any moneys of the provinces for the purposes required by the proposal of the honorable member for the Thames; they have the same powers as they possessed before the passing of the Act; they can spend what money belonging to the provinces they please to test the question of *ultra vires*. No doubt we have a written Constitution giving us certain powers and we must deal within the bounds of those powers. There is no doubt or question about that. The Supreme Court will keep us to that. This question can be determined by the Supreme Court. I see no difficulty in the way of the Superintendents of Otago and of Auckland taking the matter into the Supreme Court if they think fit. I object altogether to the General Government of the country being called on to interfere in the way proposed in the matter. It would place itself in a most anomalous position. It would be throwing a doubt on a matter with regard to which they conceive no doubt whatever exists. The Government are under the impression, from all the authorities they have been able to consult, the authorities which legally advise them in this country, and they believe also backed up by the law authorities in England, that they are not in a position to say that they entertain any doubt whatever upon this subject. If they acceded to this motion, the result would be to throw a doubt on the legislation of last session and on the legislation of this House on the subject—to throw a doubt where it is not believed any doubt whatever exists. That appears to be a complete answer to the resolution of the honorable member for the Thames. Then the honorable member for Auckland City East referred to a person indicted upon a capital offence—I hope he does not mean that the Superintendents are to be tried for a capital offence—and said, if the accused was unable to procure the services of counsel, the first duty of the Crown would be to appoint counsel to defend the prisoner. I apprehend that the provinces are not in a position to require any assistance of that kind. If this Act is *ultra vires*, as is alleged, the Superintendents have the whole of the provinces at their beck, they have all the powers they had as Superintendents, and they are perfectly competent and perfectly able to take care of themselves. I will not say that it is the intention, but the necessary result of acceding to this motion would be to delay the coming into operation of the Abolition Act. I do not quite understand how we are to proceed in regard to the Supreme Court. I do not understand the machinery by which the Supreme Court is to give its decision, or the Court of Appeal afterwards. I do not see the machinery by which all this is to be brought about; and, moreover, it does appear to me that it would involve a very large amount of delay. I would ask those honorable gentlemen, the members for Auckland City East and the member for the Thames, whether

they have considered what is to be done in the meantime. Is the Abolition Act to come into operation? is it to be suspended? or what is to be done with it? The result of the adoption of this resolution necessarily would, I presume, be to suspend the operation of the Act for some time. I would ask whether that is the object the honorable gentlemen have in view? I will not impute any intentions; but the result of their action would necessarily be to create very considerable delay in bringing the Act into operation. Of course the Government are in this position: They have taken upon themselves the responsibility of their acts; whatever responsibility exists rests on them and their advisers in the way they are carrying this matter through. They cannot throw off that responsibility. If acting illegally or unconstitutionally, the responsibility rests with them. I apprehend that responsibility is very great; and they would not incur that responsibility unless they felt that there was no doubt that the Act is not *ultra vires*. This motion, if agreed to, would throw doubts where no doubts exist; it would throw the country into confusion, and would delay the coming into operation of the Act; it would lead to the suspension of the Act. That is a position that would not be acceded to by the House. I do not think there is anything to justify delay on the subject. It appears to me that, under these circumstances, it would be wrong on the part of the Government to accede to the motion of the honorable member for the Thames.

MR. SHREHAN.—Before you put the question I should like to make a few remarks on the motion before the House. I have listened with a great deal of pleasure to the arguments of the honorable member for Riverton, Mr. Hodgkinson. I think he has very fairly put before the House those points on which any reasonable person would admit that the Abolition question is open to doubt so far as relates to the power of this House to pass the Act in question. I wish I could discuss the question as ably and as lucidly as the honorable member. The whole question rests on the interpretation of the Act, which the honorable member commented upon in a most lucid manner. The question was whether the power to abolish any province has been held to mean the power to abolish all the provinces. This question has been discussed in the House over and over again. I remember, after the session of 1874, that a very important case bearing exactly on the interpretation of these words came out from Home—a case recently argued, I believe, before the House of Lords. The case in question arose out of an Act of the Imperial Parliament regulating the licensing of public-houses in certain boroughs in Scotland. The provisions of the Act empowered the persons who were to carry out its functions—I am not sure whether they were Justices, members of the Borough Council, or a Board—to shut up any public-house in the borough. The words were almost identical with those in the Act of the Imperial Parliament giving power to abolish any province. At a meeting of those persons they passed a resolution to shut up all the public-houses

in a certain borough. They appeared to think that, because they had the power to shut up any public-house, they had the power to shut up all—that the power to abolish any gave the power to abolish all. The question was carried to the next higher Court in Scotland, I suppose to the Court of Appeal—I must confess that Scotch Courts and Scotch laws are matters upon which I know very little—and from that to the highest Court of Appeal in England, the House of Lords. It was there argued fully, and it was determined that the power to abolish any public-house did not by any means imply power to abolish them all; and any person who will candidly refer to the arguments and judgment in that case, which are fully reported, will see at once, by a parity of reasoning, that if it was bad law to have interpreted in that way “any,” as giving the power to abolish all the public-houses in the borough, so it is equally bad law on the part of the advisers of the Government to contend that they have the power in consequence of the use of the word “any” in the Imperial Act referring to the abolition of provinces, to abolish all the provinces. All the surroundings of that Act are against its having such an interpretation, and I do not think the honorable member for Timaru would contend that he deliberately planned the obtaining of power to abolish all the provinces by the means of that Act. The correspondence does not disclose that such was the intention. It mentions a specific instance in respect to which the legislation of the Imperial Parliament was asked. The edition of the Constitution Act Amendment Act, as it was then printed, distinctly states in a foot-note that the Act became necessary on account of doubts cast upon the power of the House to pass the County of Westland Act. All the surroundings of the Act point in this direction: that it was to give power of a specific and limited kind to this Assembly, to deal with a particular case, and not to authorize the House entirely to abolish or destroy the distinct form of provincial institutions. The powers and functions of the two branches of the political body of this colony—the General Assembly and the Provincial Councils—rested upon precisely the same footing. It is not as if the Assembly had existed for some years before, and as if it had of its own accord given to the provinces these legislative functions which we now seek to destroy. The Assembly and the Provincial Councils took their powers and duties at the same time and under the same Act; and although it is quite true that the Assembly had overriding powers in regard to legislation, that circumstance alone is not sufficient to justify the Assembly in carrying that power to the extent of abolishing their humbler and far more useful neighbours. If there be one reason more than another why this motion should receive the consent of the Government, apart from financial reasons, it is their neglect in not getting an opinion as to the powers of the Assembly. I think the proposal to charge the money against Auckland and Otago, the two provinces which mainly object to abolition, is a reasonable one, and removes any objection to the motion on the score of finance. Otago will

certainly be able to meet the liability, and, if Auckland should not be able to meet its liability, we ought to stop our proposal in relation to issuing Treasury bills on account of that province; because, if it is not good for £23,000, it will not be good for the many thousands the Government propose to raise by Treasury bills for other purposes. I repeat, there is one special reason why the Government are called upon to assent to this proposal, and that is their neglect—I may almost say criminal neglect—for the last three sessions of the Assembly to take steps which were within their reach, and easily taken, without great expense or trouble, to have settled this legal question in some authoritative way. It is not as if they had not notice of the fact that this legal difficulty existed, because in 1874, when the proposal first came down, many able members of this House, some of whom are now no longer members of it, distinctly raised this issue, and challenged the right of the Assembly to pass a law abolishing the provinces in the North Island. It is not as if it were raised incidentally by persons whose opinions were not worthy of notice on such a question. It was raised by men whom we had thought fit to raise to Judges of the Supreme Court in this colony, who there have to interpret the law upon all subjects to the inhabitants of the colony, and to decide upon this question, if it should come before them. I contend that it was the first duty of the Government to satisfy themselves that the Assembly had the power to pass such an Act. So far as we know, they allowed twelve months to elapse between the sessions of 1874 and 1875 without taking any steps for the purpose of settling this question. The honorable gentleman who then was a member of this House, who controlled the destinies of this country, and to whose shortness of temper or infirmity of health, perhaps both combined, we have to attribute this Abolition policy, had taken a journey Home. Now, he was at Home in England for a great many months, so long that he was not able to be present here in the session of 1875; and at any time during that period the Government might have communicated with him, and have had the whole question put before the proper authorities in England, who would have dealt with it in a statesmanlike way. It is idle to say they would have had to do it by telegraph, for that was not necessary, because months elapsed during which they might have done it by correspondence in the ordinary way. And you may depend upon it that the statement of the case put before the Law Officers of the Crown in England would not have been a statement of the case at all unfavourable to the position of Her Majesty's Government in this colony, and the material facts bearing upon the question would have been so submitted that the opinion given would have been eminently favourable to the persons asking that opinion. By the way, I have some hesitation in speaking of the Government of that time: it is not the present Government. I admit that there are some fragments of the previous Government in the present Cabinet, but there have been so many changes that it

puzzles one, and I cannot keep count of them, much less remember the particulars of each. Changes have taken place upon the most trivial cause, and I may almost say that you have only to look angry at the Government to cause a Ministerial crisis, and the resignation of two or three Ministers, and the appointment of others. We had a statement made some time ago that the policy of the new Government was entirely irrespective of and independent of the acts and policy of its predecessors; but upon this question they have indorsed and attempted to carry out the policy of their predecessors, and, although they may not be individually the same Government that was in office in 1874, yet for all purposes they may be taken to be the same Government. If, Sir, the policy of abolition proves to be a success, if it really effects the object which its promoters claim to have in view, the good government of the colony, the simplifying the machinery of government, the reduction of the cost of government, the doing away with taxation, and enabling the whole colony to be governed from one centre better than it previously was from five or six—then these gentlemen on the Government benches will take credit for the change. That being so, we may fairly say that, notwithstanding these changes, these technical crises and purely formal alterations in the constitution of the Government, that is the same Government, and we fairly look upon them to take all the blame that will follow from the prosecution of that policy, and all the consequences arising from the neglect of taking the ordinary precaution prior to bringing that policy into force. Having thus justified my right to speak of the present Government as the Government of 1874, in referring to their neglect I will say that had they taken the ordinary and proper precaution, one which they could have taken in the matter at an infinitesimal cost, and if they had been advised by the highest legal authorities in England that their power to pass this measure was open to question—not advised that they had not the power, but that it was open to question—they might have gone a step further—everything was favourable to carrying out such a step—and asked the Home Parliament to have given them power to have passed a law of the nature of the Abolition Act, and have then left it to this House to have given effect to that law if they thought proper. In 1874, members of the Opposition, and members belonging to the moderate party who have floated about from one side of the House to the other, took the view that this was an illegal Act, and beyond the power of the Assembly to pass. We had, to my mind, unmistakable evidence of the fact that the highest legal functionary in this colony had grave doubts as to the powers of the Assembly to pass such a Bill when, in the beginning of 1875, we had an opinion from the present Chief Justice of the colony. I held then, and I still hold, that asking that high legal functionary for an opinion upon a question which might afterwards come before him in a judicial proceeding was a most indelicate step on the part of the Government. On the face of that

opinion there was a warning of the most specific kind to the Government that there were reasonable doubts about the power of this Assembly to pass such a Bill. That opinion was carefully guarded, and the first two or three paragraphs might be considered to suit either party; but it contained the statement that it would be desirable to settle doubts by obtaining the passing of an Act of the Imperial Parliament making clear beyond all doubt the right of the Assembly to pass the Abolition Act. It is, to my mind, inconceivable, a matter not to be understood, how any persons who by chance or accident or by ability have found their way into the councils of His Excellency the Governor, who are advising him to depart from the ancient landmarks of the Constitution, who recommend him to initiate a policy of a total change of our Constitution—how those people, after all the warnings repeatedly given both from friends and the Opposition, should have dared to neglect to take those steps they might have taken with advantage to themselves and with advantage to the country. If there were another reason why this should have been done, I think we have only to look very shortly and briefly to the circumstances under which this change arose. It is not contended for one moment that this change has arisen out of demands on the part of the people of the country for abolition. When the policy of immigration and public works was introduced, I for one was disposed to admit and recognize the fact that that measure must be looked upon as paving the way to the abolition of the existing form of provincial government. There is no use in disguising facts of that kind. No amount of party duty, no sense of loyalty to party, would induce me to conceal that that was my opinion. I felt that by the operation of that measure, in the course of years, the existing form of Provincialism must give way to some other measure. In 1870, the honorable gentleman brought in his policy; and, in the next year, almost before he had sown his seed, he strove to reap the harvest by introducing a measure to deprive the provinces of a certain portion of their powers, lest they might interfere with his policy. But that measure he was afterwards obliged to withdraw. In 1872, 1873, and 1874, we had some of the most glaring and disgraceful—I use the word in a parliamentary sense—instances of what evil results must follow from purely personal government. This House was led blindly by one individual from one end to the other of the political road. At one time the provinces were to be kept up in all their vigour; and although it was shown that some provinces, in consequence of financial losses, might not be able to carry on, still the House was called on to make provision in their behalf. And yet in the next breath we were told that the provinces must go—that their time had arrived—that the hour of their death had come, and that nothing was left but to give them decent interment. At one moment we were told that the cardinal curse to the colony was giving powers to the provinces to borrow, because they interfered with the policy of immigration and public works, although at

the very time I contend that in the Provinces of Otago, Wellington, Canterbury, and Auckland immigration and public works had been better conceived and were being carried out better, more economically, and with more satisfactory results than the same policy as carried out by the colony. Because they borrowed money for this purpose, we were told that they had woven a rope to hang themselves, that they were working for their own destruction, and that they should be put to death. That doctrine was hardly swallowed by the Government supporters in this House before we had an exactly opposite doctrine propounded to us. We then had that set of Bills which were by some called the “neglected and criminal children,” by others the “little pigs,” and by others the “seven deadly sins,” on account of their number, by which various provinces were allowed to borrow in order that they might aid in carrying out the colonial policy of immigration and public works. I remember well that when those Bills met that fate which, I believe, the principal measure of this session is now meeting in the other branch of the Legislature, I was one of those who rejoiced. But the honorable gentleman who introduced those measures indulged in most violent language against that branch of the Legislature which had thrown them out, and threatened to bring in some measure to reform its constitution, to make it more popular, and to prevent any attempt in the future to set at naught any deliberate intention of this House. We had next year an entirely opposite policy. There was to be no longer any borrowing power given to the provinces; they were no longer to live, but were to be abolished. A stop was put to the whole of that previous programme, and it was reversed without the slightest regard to the ordinary rules of decency and good faith. The first proposal was to abolish the provinces in the North Island. The then Premier of the colony, while on his way Home and about to undertake a journey—the fact of his being about to do so having been carefully concealed from this House—when attending a large meeting of the electors of Auckland City East deliberately repeated the assurance given to this Chamber that the Abolition proposals would not extend to the South Island, and that the Government would strictly abide by the letter and spirit of the proposals they had made to the House. In 1875, we had a complete reversal of these proposals, and abolition was to be made general throughout the colony. I contend that the acquiescence even of that section of the people which has given acquiescence to that proposal has been obtained by a fraudulent representation of facts. To show how this colony has been governed during the last few years, I may say that in the North Island, in order to obtain assent to this abolition, statements were made that the Land Fund should be made colonial revenue; while in the South Island the Government made statements of an exactly opposite character. There the people were told, “Unless you assent to abolition you will lose your Land Fund, and it will become colonial revenue.” All these circumstances to my mind

point to this conclusion: that as the change was not the result of deliberate statesmanlike conviction; as it was conceived in a moment of irritation, caused by the refusal of this House to adopt another policy which this Chamber at any rate has since repealed by a large majority; and looking at the fact that all these warnings and assurances were given to the Government, it was their bounden duty to have taken some ordinary precautions for the purpose of satisfying themselves that they were right in the course they were about to ask the House to pursue. Only a few days ago, in the correspondence that took place between the Governor and the Superintendent of Otago upon the question of the power of the Assembly to pass the Abolition Act, there was a memorandum submitted by Ministers, and in that memorandum, as has already been pointed out, there was a deliberate suggestion that Ministers had obtained and possessed legal opinions justifying the action they had taken. That memorandum travelled throughout the length and breadth of the colony on the same day on which it was published, and I have no doubt that very many persons on reading it thought that Ministers did hold legal opinions justifying their assertion that this Assembly had power to pass the Abolition Act. But when the matter came to be discussed here, what turned out to be the case? Why, that the statement in the memorandum was simply a jesuitical statement, a cunningly devised statement, to induce people who knew no better to believe that such opinions were obtained; and the Premier was compelled to admit, in reply to a question put to him, that the Government possessed no opinion, no memorandum, no correspondence bearing upon the question of the right of this House to pass the Abolition Act. That shows that, between the session of 1875 and that of 1876, another period of nearly twelve months was allowed to elapse without any action being taken by the Government for the purpose of obtaining an opinion in favour of the power of this Assembly to pass this Act, or, if that opinion was against them, of getting an Act passed by the Imperial Parliament giving that power. The conditions of the case during last year were quite as favourable as those of the year before, because the then Premier was making a visit of a somewhat lengthened kind in England, and he did not return to the colony until about February or March last. So that for some months after this House rose Ministers had the advantage of a champion of their own at Home who could have put a case favourably to their view, and have obtained a legal opinion. If that opinion was not in their favour, they had the advantage of a gentleman of great tact and experience in England to put before the Imperial Parliament the necessity of passing an Act to give the power asked for. If the Government said, "In 1875 the House adopted by a large majority the Abolition proposals of the Government, but doubts have been raised on the Opposition side, and, to a certain extent, have been confirmed by persons holding moderate views as to the power of the Assembly to pass such a law. We recognize the fact that this is a great and important change,

and we are desirous that it should be made in accordance with the law. We shall therefore, during the recess, and before the new Parliament meets, which will be elected on the Abolition question, take steps, first, to ascertain if we have power to pass such a law; and secondly, if it is found that we have not, to seek specific powers from the Imperial Parliament to abolish the provinces"—if they had taken that course, I should have been prepared to support them. I contend there is no harm in our having such a power inherent in this Assembly; and if we possessed such a power, and there was a clear majority of the House in favour of abolition, it would be the duty of all parties to abide by the decision of the Assembly and by the new Constitution. But when we consider that all these ordinary precautions, all these just demands on the part of the opponents of the measure, have been systematically neglected, and when Ministers assume that they had this power from the start, although they have taken no steps to ascertain the fact from competent authorities, we are justified in asking that this proposal should be granted, in order that the question may be decided constitutionally and legally. In the profession to which I belong, I have before now known a man to be perfectly satisfied that he was right, and that if his case went to trial he would get a substantial verdict; but when the case came to trial it turned out to be completely the other way, his lawyers were taken aback, and even the counsel on the opposite side were astonished at getting a verdict. It might happen, in the case of the Abolition Act, that if proceedings were taken this would be the result. I ask Ministers where they will be, where this Assembly will be, where the colony will be, if a judicial tribunal should hold that this Act is *ultra vires*? We are told that Ministers are responsible; but I have no opinion myself of the value of such a responsibility. What will happen will be this: that they will simply abandon those seats, and somebody else will go in. That is not responsibility. If they were called upon to pay the public money that will be wasted, and for the public time taken up in defending the rights of the people, that would be true responsibility; but there will be nothing of that kind. They will have drawn their salaries for the last three years, and they will have kept the attention of the House and the colony from the expenditure on immigration and public works. I ask the House to note this fact: that since the introduction of the Abolition proposals of the Government there has not been anything like a systematic consideration of our finances or of our Immigration and Public Works policy. Any honorable member who may have felt inclined to ask the House to consider our finances, or who has taken an interest in immigration and public works, has simply been throttled if he has attempted to bring these matters under the attention of the House; and even if he has been listened to, his proposals have not been supported. Everything has been tried by the Abolition test, and nothing of importance has been discussed on its own merits. Of course, there are small matters, which are not

of much moment to parties, which have been treated on their merits; but all the main questions have been dealt with on the consideration of how they would affect the Government. It was an Abolition Government; and if we did not pass their measures they would go out of office, and somebody else would come in who might have a leaning to the old form of Provincial Governments. Now, in this very session I have been in the position towards the party to which I have the honor to belong of being obliged from time to time to sound honorable gentlemen on the way in which they were going to vote upon public questions before the House. And I have found that in the lobbies many of the members who come into this House and vote for the Government are loud in the denunciation of their policy. That has happened upon nearly every large question brought in by the Government this session. Honorable members outside the House speak bitterly against these various proposals; and yet such has been the effect of the Abolition policy that they have come into the House and voted against the convictions they deliberately expressed outside. I say that the Government have simply lived upon abolition for the last three years. In all other essential respects they have shown their unfitness to hold their positions on those benches. They have shown themselves incapable of grappling with such a large question as abolition implies; but because they brought down the Abolition proposals and are identified with them, they have retained a majority of the House. I assert that upon large questions a majority of members have voted with the Government when they were of opinion that the Government were absolutely in the wrong. This is a statement which is capable of absolute proof. I appeal to members of this House, who are now voting with the Government, even with the present small assemblage, if they have not repeatedly said during the present session that if it had not been for abolition the present Government would not have remained in office for a week. If the Abolition question were once settled, that following which now surrounds the Government would disappear like snow under the summer sun, and the members of the Government would be left in solitary glory upon those benches, with no duty to perform but to hold office until their successors were appointed. I contend that the Government have deliberately kept this question before the country during the last two or three years as a buffer between themselves and public inquiry into the administration of the finances and the conduct of public works. I contend that they have made use of it as a lever to lift through measures which would not otherwise gain a majority if it had not been for the fact that they came from the Government, whose only claim upon the public was that they had taken up the policy of abolition. I have not yet had experience enough to test the question whether this Government is more conscientious and possessed of more principle than its predecessor; but I feel perfectly sure that the Government which met this House at the beginning of the session would have been quite prepared to throw

abolition overboard without the slightest consideration or remorse, if it was necessary to do so in order to secure a majority. If, in order to keep in its hands the control of the public finances and the public lands, it had been necessary to make a Jonah of abolition, it would have gone overboard without the least compunction. I see the Premier smile, but I do not believe that in his heart of hearts he can deny what I am saying. All I can say is this: that the keystone of the Cabinet, the leading spirit, the guiding star, a star which has now ceased to exist, or at any rate whose orbit has become so distant that it is no longer perceptible to colonial telescopes, has made far more remarkable changes, has departed in one session to a greater extent from the programme with which he opened the session than is suggested in my proposition that he would have thrown over abolition entirely to gain a majority. I am not taking an extreme view of this Abolition question. I believe myself that the repeal of abolition pure and simple is a measure that neither the Government nor the Opposition could fairly ask the House to consent to. If we were to go back to the place where we were in 1874, it would be far more mischievous than even to allow the Counties Bill to come into operation. It was not in 1874 that for the first time the House was warned that some change was necessary in the constitution of Provincial Governments. That was hinted over and over again in the House from 1870 to 1874. I believe that in one of the first speeches I made in this House I dealt specially on that topic, and pointed out that, whatever might be said of other provinces, Auckland could not carry on in its existing position—that the Government would be compelled either to step in and do away with the provincial form of government in Auckland, or would have to strengthen and build it up so as to enable it to fulfil its functions. Abolition was not a new theory at all. That was an expression of opinion coming from independent members of the House, and coming as the result of conviction; but the policy of the Government, which has occupied the attention of the colony for the last two or three years, came not as the result of conviction, but rather as the result of punishment. Their proposals contained in the State Forests Bill were so severely punished by the House that the honorable gentleman in charge of it passed in twenty-four hours from being a member of the Provincial party and an advocate of provincial opinions, to be an advocate of the most extreme form of abolition that was ever talked of in this House. Even the honorable member for Timaru, who has been a consistent Abolitionist from the beginning, has never uttered such bitter, unfounded, and unfair things of provincial institutions as were said by the late honorable member for Auckland City East and Wanganui during the time he was advocating his Abolition proposals. I do hope the Government will see their way to agree to this resolution, which appears to me to be a very fair demand. They might have even gone further, and made the proposition themselves. They might have said, "A reasonable section of the House is in doubt

as to our power to pass this law, and a fair proportion of the population of the country is in doubt about it. Although we do not believe, looking at it from a Ministerial point of view, that there is any foundation for the assertion that physical force will be used to prevent the Abolition Act from coming into force, yet we cannot disguise the fact that there is a large amount of moral resistance to the Bill in two large sections of the colony. To settle that question, and show that we are proceeding according to law, we ourselves will invite those holding opposite opinions to meet us in the ordinary Courts of the country, and settle the question there." There would be nothing strange or improper in such a proceeding. The Supreme Court of the United States has discussed, considered, and laid down propositions in regard to the powers of the supreme Legislature to pass laws, and sometimes the decision of the Supreme Court has been that the action of the Legislature was *ultra vires*. Even if the Supreme Court of the colony did pass sentence against the Government, the Court of Appeal was open to them; and if that went against them, they could have recourse to the supreme tribunal at Home, when the matter would be brought before men of the highest legal attainments, perhaps, in the world. That being the case, I think that, forgetting what personal feelings may have been evoked in this Abolition discussion, setting aside all minor differences, looking solely at the disastrous results that will accrue to the colony if it turns out that they have no power to pass this law, Ministers might very well afford to make the concession that this resolution demands. I believe that the amount asked for is larger than would be really required. There are several ways in which an issue might be raised at once, and submitted to the Supreme Court of the colony, at a cost of not more than £300 or £400. And, if the question were sent Home, I think it might be sent upon a case alone, settled by both sides. I contend that if the Government want to re-establish the confidence of the colony in them—if they want to command the respect of the Opposition in the House—if they want to remove the personal element that has entered so very largely into our debates, and the introduction of which I deplore as much as any other member—if they want to show an honest desire to govern the colony constitutionally, and that they will not allow financial exigencies to drive them into breaking the law, they will concede the demand now made to allow this question to be raised fairly and constitutionally in the Courts of law. I am not going to talk rebellion. What I may do if the occasion arises, I shall keep to myself until that occasion does arise; but I say this much, that it is a mistake to suppose that because this Assembly passes a law of this kind the people are bound to obey it, or that they will incur serious consequences by resisting its coming into force. I contend that if it should happen—as it may happen—that this Act is illegal, and if Ministers, before that point is settled, endeavour by physical force to bring it into operation, the consequences, whatever they may be, will rest on the heads of Ministers them-

selves. However, if that should come about, and blood is shed, the heads of the members of the Government would be very insufficient payment. I should be very sorry to deprive the House and the country of the services of those honorable gentlemen; and I can assure them—taking a moderate view of the question—I think the heads of those honorable gentlemen would be nothing like adequate compensation for the mischievous consequences that would ensue to the country. I remember reading a poem by an eminent Englishman—Sir Wm. Jones—who lays it down as his definition of a free State, that it is composed of men who know their rights, and, "knowing, dare maintain." I contend that the people of Otago and Auckland know their rights, and, if they dare to maintain them, the Government know in their heart of hearts that they would be perfectly powerless to prevent those rights being asserted. We have had a great deal of talk about an attempt being made to carry this Bill into effect by means of war vessels. I believe that there are people who hold such extreme views upon abolition that they would be willing to employ Her Majesty's ships to put down any attempt to resist this Act. But I hope that the chivalrous feeling of the commanders of Her Majesty's ships in these waters will prevent them from attempting to put down resistance to an illegal measure. While I feel that this is a matter in which the Government might fairly make a concession, inasmuch as it involves no departure from the line of conduct they have taken up, I am quite certain that any attempt to persuade the Government or a majority of the members of this House must necessarily fail. It is well that we should know that; and it is well to know that, even in this House, though we may fail to interest or convince honorable members, we at any rate catch the ears of the people, and we may put before the people for their consideration those facts and those arguments which a majority of this House are not disposed to listen to. We have been told, both in this House and out of it, that the allusions made by the opponents of the Government policy to the possibility of actual resistance being made to the introduction of the Abolition measure are disloyal. But, Sir, I would ask, in what does disloyalty consist? To my mind, it means the going against the law. If this Assembly passes a law which it has not power to pass legally, it is the Assembly that violates the law and is disloyal; while the people, whose instincts teach them that the Abolition Act is *ultra vires*, and who resist it, are the loyal people, because they are merely opposing a measure which is contrary to law. If it should unfortunately happen that Ministers press on this Act, if they compel the Act to be introduced in the various centres of the colony, and if, as a consequence, we have resistance, then, Sir, I can say that that resistance will be just. If that occurrence takes place—if the people are driven to resistance of this measure, I should not like to be a member of that Government. I think the Government will in that case have a very great responsibility resting upon them; and although the forms of the House

enable them to pay their debt by simply giving up their seats on those benches, their names will go down to posterity with obloquy attached to them. I hope the honorable gentleman at the head of the Government will see his way even now to say that the Government will allow this question to be decided by a Court of law. It is not fair to call on any person to bring an action in a case of this kind, and to pay the expenses out of his own pocket. This is essentially a constitutional question. It is a question which has not been raised by a minority, but by a majority of this House; and I think the Government will act wisely and considerately by saying, "Very well; if you persist in this, we will find the actual cost to be incurred by raising the question in a Court of law."

Mr. BOWEN.—I shall not attempt to follow the honorable gentleman through all his arguments, because the Government are not desirous of wasting the time of the House. But I think it is my duty to draw attention to a misstatement which the honorable gentleman has, I have no doubt inadvertently, made. He has made a reflection on the Chief Justice. He animadverted on the bad taste displayed by the Government in obtaining a legal opinion from the Chief Justice last year on the subject of Abolition. I have to say that the opinion then laid on the table of the House was not the opinion of the Chief Justice, but the opinion [given by Mr. Prendergast in December, 1874, when he was Attorney-General.

Mr. SHEEHAN.—I admit that I was wrong. What I referred to was the letter subsequently sent by the Government to the late Attorney-General.

Mr. BOWEN.—That letter was merely written to clear up a misunderstanding. However, I need not revert to that. With regard to the main issue before the House, I can only say that the motion asks the House to agree to the taxpayers' money being spent in litigating upon a subject, with regard to which the Government have been advised there can be no doubt whatever. Having been so advised, it would be monstrous folly on the part of the Government to encourage litigation at the public expense. I only rose to correct the honorable gentleman on one point; and as he has admitted his error, I have nothing more to say.

Mr. HODGKINSON.—The honorable gentleman has asserted that the Government have been advised that this Bill is legal. I should like to know from whom they got that advice.

Major ATKINSON.—The late Attorney-General and the present Solicitor-General.

Mr. DE LAUTOUR.—I understand the honorable gentleman to say that the opinions had been given by the late Attorney-General and the present Solicitor-General?

Mr. BOWEN.—Yes, they gave their opinions.

Mr. DE LAUTOUR.—I think that, if the Government have an official opinion on the subject from any lawyer, it ought to be laid on the table of the House.

Mr. BOWEN.—It was laid before the House last year. It is on the records of the House.

Mr. DE LAUTOUR.—Well, we understand

that their advice is limited to the advice which we have records of, but nothing further. I think it is well that this opportunity should be taken to refute a statement which has been very unjustly circulated by organs representing Government opinion—namely, that an eminent member of this House, who is now in Otago, has been corresponding with members of this House with the view of obtaining support in what they are pleased to term "rebellious action." I think that any organs of public opinion ought to be very chary in giving currency to statements of this sort with reference to such a gentleman as Mr. Macandrew, who has done so much for the colony. We have no reason whatever for supposing that Mr. Macandrew had any idea of disobeying the law of the colony. I merely wish to say this much; and I do hope the organs which have given expression to such opinions will admit that they have been misinformed.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	82
Noes	...	...	...	...	20
Majority for	...	...	...	...	12

AYES.

Mr. Andrew,	Mr. Reynolds,
Major Atkinson,	Mr. Richardson,
Mr. Barff,	Mr. Richmond,
Mr. Bowen,	Mr. Seymour,
Mr. Bryce,	Mr. Stafford,
Mr. Button,	Mr. Stevens,
Mr. Carrington,	Mr. Tawiti,
Mr. Curtis,	Mr. Teschemaker,
Sir R. Douglas,	Mr. Tribe,
Mr. Fitzroy,	Mr. Wakefield,
Mr. Gibbs,	Mr. Whitaker,
Mr. Henry,	Mr. Williams,
Mr. Hunter,	Mr. Woolcock.
Mr. Kennedy,	
Captain Kenny,	
Mr. G. McLean,	
Mr. Ormond,	

Tellers.

Mr. Kelly,
Mr. Pyke.

NOES.

Mr. J. C. Brown,	Mr. Reid,
Mr. Burns,	Mr. Swanson,
Mr. De Lautour,	Mr. Taiaroa,
Mr. Dignan,	Mr. Takamoana,
Mr. Fisher,	Mr. Thomson,
Sir G. Grey,	Mr. Tole,
Mr. Hislop,	Mr. W. Wood.
Mr. Hodgkinson,	
Mr. Lumsden,	
Mr. Nahe,	
Mr. O'Rourke,	

Tellers.

Mr. Rees,
Mr. Sheehan.

PAIRS.

For.	Against.
Mr. Ballance,	Mr. Lusk,
Mr. J. E. Brown,	Mr. Stout,
Mr. Cox,	Mr. Macandrew,
Mr. Harper,	Mr. Touks,
Captain Morris,	Mr. Larnach,
Mr. Sharp.	Mr. Seaton.

The motion was consequently negatived.

SUPPLY.

The House went into Committee of Supply.

CLASS VI.—NATIVE DEPARTMENT.

Salaries and Contingencies, £22,332 18s. 9d.

Mr. SHEREHAN moved that the item be reduced by £5,000; and remarked that, on the previous evening, when the item for the Native Department was proposed, he confined himself strictly to the rules of debate in proposing the reduction; but afterwards, as the debate went on, its area widened into a discussion upon the Native policy of the Government. In speaking to the question, he did not propose that the whole of these Native Assessors should be abolished at one time. He distinctly stated that that would not be a wise step, but he was nevertheless convinced that large reductions could be made. First of all, they were told by the Government that these appointments were not made by Sir Donald McLean—that he found more than two-thirds of them there when he came into office; but that was no answer to his statement that they were unnecessary. He did not say that they were appointed by Sir Donald McLean. He simply argued that they were there, that a great many of them might be dispensed with, and that reductions could thus be made. There were a few Assessors he would like to see retained, such as Wi te Wheoro, in the Waikato; Taipari, at the Thames; and some other men of that stamp, who could be useful to the Government, and lead the people in the right direction; but when he was told that the whole of these Assessors, for whom they were asked to vote salaries, were capable of doing the work which was expected of them, he could only laugh. Two-thirds of these Assessors might be dispensed with. Of course, he was speaking of those in the North Island. In the South, there was a very large European population, and a Native population which had become almost European. There they might be of use; but in the North there was a Maori Assessor for every 280 of the Maori population, which consisted to a large extent of women and children. The children were not lawbreakers, so that they might put down 150 of the population for each of the Assessors. But it did not stop there. These Assessors were but a drop in the bucket. Apart from the Magistrates and interpreters, who formed a considerable array, there were the police. In the estimates, wherever honorable members found the Assessors, they would also find the police. About three years ago, in a district in the Rotorua country inhabited by the Arawa, over £9,000 a year was spent among the Native people. He was safe in saying that every member of the Arawa was an Assessor or an Assessor's clerk, or a policeman or a policeman's clerk. However, over £9,000 was paid to the tribe, which he thought consisted of not more than about 2,000 adults; and he was within the mark in saying that nearly every adult in the tribe was a salaried officer of the Colonial Government. Well, it might be that there were reductions made in these estimates. Those reductions were evidence of the justice of the demands

which he had made that those reductions should continue, and, if possible, be on a larger scale than they had been hitherto. He would repeat that the labours of this department had not been an unmixed good—that in many parts of the North Island their policy had been one of obstruction to settlement—that red tape, "I have the honor to be," and "Refer this to So-and-so, to do what he thinks proper," had been the watchword of this department. He had known of industrious people going to the North Island, who had been driven away by the obstructions offered by the Native Department. Last year they had under consideration a petition from a settler in Tauranga, who tried to acquire a piece of land from the Natives there. What happened? Why, the Native Department sat upon him. That gentleman's name was Edmund Foley. He was a petitioner, and there was a sum on the estimates as compensation for him. He attempted to buy the land, but the Native Department objected; he was told that the property was a Native reserve and ought not to be allowed to change hands. The petitioner was not allowed to get possession, and in about three months afterwards the same land was bought by an officer connected with the Native Department. There was scarcely a piece of land in the Tauranga district that had not changed hands and been bought by officers in the Native Department. He had not invited any discussion on the merits or demerits of Sir Donald McLean. He was prepared to leave that on one side. Under the circumstances, one felt ill at ease in speaking of a man who was not present to defend himself. He found that there were people injudicious enough to sound that honorable gentleman's praises in Committee, and who no doubt would be prepared to defend him to-night. They had heard about what Sir Donald McLean had done. They should remember that there had been uncontrolled power of the public funds by the million. That was a secret potent power. There had been a second agent at work far more powerful than money: that was rum. They had demoralized the Native people; they had made them a drunken people. If that was a feather in Sir Donald McLean's cap, let him boast of it. He would prove his words. In the Province of Auckland, with which he had official connection for some years, without being required by law, they made it a rule that they would not issue any license to a Native applicant without reference to the Native Minister. An application came from a northern district, Hokianga, to grant a license for a public-house to be kept by a Maori. The Superintendent, with the advice of his Executive, refused to grant the license, and referred the matter to the Native Minister. The application was sent by him to one of the Native officers. What was the reply given from an officer of that department, who was supposed to look after the moral and physical well-being of the Native people? It was to this effect: "I strongly recommend the granting of this license. It is necessary for very grave political considerations." That was the reply made by a permanent officer of the Native Department. The object seemed to be to keep peace, to perpetuate salaries, even if

necessary to make the Natives drunk to do it. All over the country at the present time there were Native Magistrates, Native Assessors, and policemen. The policemen were as numerous, comparatively speaking, as the sands on the seashore; and in the presence of these officials drunkenness of the most revolting kind was allowed to go on. There was not the satisfaction of drinking good liquor. The liquor on which the Natives got drunk might be worshipped because it was like nothing in heaven, in earth, or in the waters under the earth. Some said it was kerosene, but it did not possess the special quality of kerosene. That was the result of their efforts for the improvement of the Native people. That has been the state of affairs all over the North Island. They had made the Natives a drunken people, and had taken their lands from them. The man who succeeded to the control of the Native Department, without having large sums of money at his disposal, would have to pay the piper. When he was told what the services of the honorable gentleman had been, when he heard the animated panegyrics passed upon him here and there, that he had done this and done that—when some honorable gentleman had built up a perfect paradise of panegyric on the Native Minister, there was one word the very mention of which would bring the honorable member to the test: that word was Waitara. Who was responsible for the Waitara war? It was on Sir Donald McLean's recommendation that the purchase of land was made, which led to the Government coming into collision with the Native people.

Major ATKINSON.—No.

Mr. SHEEHAN.—Did the honorable member forget this, that the purchase was made from William Taylor, although William King had an interest in the purchase, and should have been consulted before the purchase was made? On the first inquiry, an officer of the Native Department was the Judge. The Native named King was entitled to be heard before the purchase was made. He was entitled to the land; he had an interest which the Native Land Court would have recognized. From the Waitara they were led, as a natural consequence, to the Waikato, to Tauranga, Wanganui, and to Poverty Bay, where serious disturbances took place. He (Mr. Sheehan) should be sorry to have to account for all the disturbances the responsibility of which rested upon the Native Minister. The honorable gentleman directly brought about that war by the system which he had revived in connection with the Native land purchases during the last few years—by what was known as the ground-bait system. He would describe one portion of that system. A Native land purchase officer went into a district with instructions to buy land for the Government. He obtained a commission on the purchases made, and the larger the return of lands purchased, the larger the amount of payment. He would take the case of the Arawa country, where large amounts were spent in salaries. What happened there? The action of the gentleman who went there was this: While the older people of the tribe, the really important people, were opposed to selling the land, the agent

sent out to buy the land went to the young lads, the young women, and children, and got them to sign the deeds of sale. The only consequence that could result from such conduct was ill-feeling and disturbance. What occurred when the Native Minister went there? He met the people. His eyes were opened; he was compelled to withdraw his land purchase agent, and give the thing up as a bad job. Thousands of pounds have been spent in that part of the country; and the Government find that their transactions were wrong from beginning to end; that it was unfair, unjust, impolitic, and would lead to a breach of the public peace. The honorable member for Avon, while not disapproving of the wisdom of his (Mr. Sheehan's) proposal, took some objection to what he had said. The honorable member stated that he (Mr. Sheehan) did not object to the money as being wrongly spent. He did object to the money as being wrongly spent—a large portion of it had been wrongly spent, and it would have been better and less harmful to have cast it into the sea. The money had been spent in demoralizing and degrading the Native people. The one bright spot in the whole thing was the Native School Department. He had always upheld the Native schools. The Native Minister and officers knew that he had made representations to them that the best course to adopt would be to increase the vote on every occasion, and extend the Native school system throughout the length and breadth of the country. He would like to see the proposed reduction of £5,000 saved, and put to this vote for schools, and not carried to the general savings. They were asked, to whom were they more indebted than to Sir Donald McLean? Well, that just showed how soon a change would take place in the public mind. At one time it was, to whom were they more indebted than to Sir Julius Vogel? He would alter the question, and put it in this way. Through whom had they become indebted? Through Sir Donald McLean and Sir Julius Vogel. That was the reply he would make to that question. What most concerned him was this—and he said it without the intention of provoking personal feeling or irritation—that there were men in this House now voting with the Government who knew as well as he did that the state of things was rotten. There were honorable members who three or four years ago denounced in most unmeasured terms the interference with the Government of which the honorable member was the head—how their operations were seriously interfered with by the refusal of the Native Minister to allow a section of the Native troops to be taken from Poverty Bay down to the West Coast. He would be glad to hear the Premier on that point. It was well known that through the Native Minister—then an officer of the Government—taking upon himself the responsibility of counteracting the order for the removal of the Native troops to a certain point, the whole of the people of that part of the country were placed in danger. He would come to another point. Reference had been made by some speakers to the fact that while the Provincial Council sat in Auckland during the last session,

an attempt was made to get at the bottom of the Native land purchases in that province. It was true that the most contemptuous messages were sent to the Council by the General Government. The Provincial Council was not then wiped out, the Abolition Act was not passed. The Provincial Council had all the authority and all the powers that this Assembly could have for making such an inquiry. The money spent in connection with the waste lands of Auckland had been charged upon and paid for out of the taxes of the people of the province. If that would not give them the right to make the inquiry, he would like to know what would. The House was told last night that the Provincial Council of Auckland was not the right tribunal to make such an inquiry, but he would tell the honorable gentleman that, while he did not say there would not have been a full inquiry at the hands of this House, there would have been a better, fuller, and more searching inquiry at the hands of the Provincial Council of Auckland. He would say this much: that in the Provincial Council of Auckland parties were more fairly distributed than in this House, and there would have been quite as much fair-play there as here. He would contend, above all things, that the people who really found the money to make the purchases, who were being charged with the payment of interest, and whose revenues were being stopped to pay that interest, had surely some right to ask where that money was going. He saw his honorable friend the Premier making a note. Probably it referred to the fact that the Native land purchases are made a colonial charge. Money so expended was first a provincial charge; subsequently it was made a colonial charge; but, being a colonial charge, the people of Auckland paid their proportion of the taxation in the same way as other parts of the colony, and, that being so, they had a perfect right to make these inquiries; but the Government would only have acted fairly if they had said, "We are thankful to you for making these inquiries. Let us know the results; they will help us in making these things right, and you will have done a great public work." But their officers were told not to give any information. Something was said about a member of the Provincial Council having proposed that Major Green should be imprisoned for refusing to attend. He was not aware that such was the fact; but if any Provincial Councillor spoke to that effect he was perfectly right in doing so, and it would have served the officers of the Government perfectly right to have sent them to prison, not because they deserved it, but because the people who gave such instructions deserved it. If they had been sent to prison, that would have happened which always happens under our form of government: some inferior officer would have paid the penalty for the acts of his superior. He would have been made the scapegoat, and would have been turned adrift into the wilderness. There was a case of that not long ago in the case of a certain notorious bridge. He would say this much advisedly: there was no man throughout the colony at the present time more unpopular

with the Natives than the Native Minister. If the Native members of this House were to produce the documents they had received from all parts of the North Island, it would be found that they had the same burden and made the same prayer to the House, and that nine-tenths of the Native people thought that the chiefest blessing that could possibly be in store for them was to be relieved from the domination of the Native Minister and the Native Department. He said that with some knowledge of the facts. He had always been an upholder of a peace policy as against a war policy, and stood up for it in this House: at the same time that did not bind him down, and he would not let it bind him down, so as to prevent him from exposing unscrupulous cases. The time of the Native Minister had gone by and his reputation had ceased, and if he disappeared at the end of the session, as had been said would be the case, his disappearance would make as little noise and create as little sensation as the disappearance of another political star of very great celebrity had done a few days ago. He wished to point out to the Committee why he considered the Native Minister had essentially failed, and had lost—deservedly lost—the esteem, confidence, and respect of the Native people. He would first lay down this proposition: that an officer holding the positions held by Sir Donald McLean, and who had for many years been Superintendent of the Province of Hawke's Bay, who was a member of this House and Native Minister—if there be one thing that a person holding these positions ought to abstain from, it was purchasing or trafficking in Native lands. He would put the matter thus: What would be the position of a British Minister who dabbled in the funds? Would he be allowed to remain in office for a day? Certainly not; and the Government who tried to shield him from criticism would be turned out of office. What had been the case here? The whole management of the Native lands had been in the hands of the Native Department, and every officer having anything to do with Native lands was under the control of that department. So much was that the case that his honorable friend the member for Newton could tell the House that a judicial officer at the Thames, a gentleman who acted as Resident Magistrate there, on being asked to witness a deed, received instructions from Wellington not to do so. While the department was so controlled and presided over by the Native Minister, there was no man in the colony who had trafficked more largely in Native lands, and no man had made more money out of them than that Minister. He believed, unless the House was entirely given up to party government irrespective of all considerations of justice and fair-play, that the proposition he laid down to start with, that the hands of agent, officer, or Minister could not be too free of all work of that kind—that when they were specially called upon to advise upon Native matters, they might be able to say to the Native people, "I am simply a Government officer; I ask nothing from you; I seek to make nothing out of you"—would be admitted as correct. Such officers did traffic in Native lands, had made

unfair and unjust bargains with the Natives, and had used their positions for the purpose of carrying their bargains into effect, and they had deservedly forfeited the confidence of the Native people. He would take a case. He might in doing so give offence to a great many people, who might choose to class him with persons who made charges without foundation, and threw dirt on public men, and he might be told that he was personally interested in the matter; but no consideration of that kind should influence him, and prevent him from stating what he was about to do. He would tell the House this: He gave up a first-class position in Auckland, where he held a leading position in the Provincial Executive; and if he had chosen to follow that line of business, or that path in life, he could have been in a much better position than in Hawke's Bay. He would appeal to the honorable member for Clive to say whether since he (Mr. Sheehan) had been in Hawke's Bay he could not have put nearly every title in the province into litigation, and could not have many suits, bringing case upon case; but, instead of that, he had brought only four or five typical cases, so that they might be settled with the least possible expense. When he first came to the House in 1872, the Native Lands Alienation Commission Act was introduced. He had then heard nothing of these cases, and had simply heard that there were grievances in connection with Native land purchases at Hawke's Bay. He assisted in the passage of the Bill through the House, and then had no idea whatever of dealing with the measure again. He had been away from the House for some months, and was in Auckland before he was called upon to take up the position of assisting the Natives. The Committee were told on the previous night that a Commission had examined all these matters, and had exonerated the European people concerned from the charges made against them. The best way for members to settle that question for themselves would be to take up the report of the Commission; and let them go further and read the shorthand report of the cases tried, and he would defy them to come to any conclusion but this: that these charges were well founded. What was shown before the Commission? It was shown before the Commission that mortgages were taken from children of nine years of age, and were indorsed on the back with a declaration that the persons who had signed them fully understood the nature and contents of the within-written deed. He would put it to any member of this House whether a Native child, ignorant of the English language, and under ten years of age, or even under twenty years, could possibly understand the nature and contents of a deed of mortgage—and a deed of mortgage with the special covenants always contained in these deeds of mortgage in Hawke's Bay, which were scarcely ever mortgages for a specified sum, but always to secure a debt and interest, and any further advances. They also contained a provision that the mortgages might, on default of payment of principal or interest, at any time go in and take possession. There was the notorious case which he brought before the House on the previous night. He

could prove that one of the interpreters, who was largely interested, admitted on oath that he had knowingly and wilfully made a false declaration as to the execution of a deed. What happened to him? This happened to him: he was suspended for twelve months. That was the tremendous punishment awarded to a man who had been guilty of actual perjury and actual fraud. There were two circumstances in connection with that gentleman which were worthy of notice. It happened he was largely concerned for the Native Minister in conducting that gentleman's own private purchases. That was one fact. The second fact was that, having committed such an offence, he was suspended for twelve months, and at the end of that time he was allowed to come back and prey again upon Native society. It was also a fact, as mentioned last night—and the records of the House could prove it, for it appeared in the Blue Books, where any man could read it—that the Native Minister acquired a good deal of his land in this way: He took an absolute conveyance of the land from the Natives, and paid for it by his unindorsed and unsecured promissory notes at two years. Yet a transaction of such a kind passed the gentleman who was called the Native Land Frauds Prevention Commissioner, who must be a commissioner for the prevention of frauds committed by the Natives only. What would be said of a transaction of that kind if it took place between two Europeans, one ignorant and another skilled in the law, and if it got into the Court of Chancery? It would be declared void. He would now refer to the Oamaranui case. The honorable member for Clive had been good enough to deliver an explanation of that case, but he would now ask the Committee to listen to his history of the case. He would not detain the Committee long, but the story would be as well worth listening to as anything they had heard this session. He did not mean it would be interesting from the manner of telling it, but from the picture it would give of the gross maladministration of the Native Department, the faulty legislation of the House, and the utter disregard and neglect of the interests of the Native people occasioned by the fact that the men who ought to step in to protect them dared not to do so, because to protect the Natives they would have to quarrel with the men who, in return, could say "*Tu woko*." The Oamaranui block of land contained about 3,000 acres, and was thirteen or fourteen miles from the town of Napier. The records of the Native Land Court showed that twenty-five or thirty people were the actual owners of it, and that the land included a settlement of about 150 acres, which had been occupied for twelve generations. At present there were upon it a number of houses and cultivations. He could well understand the force and meaning of the expression used by the honorable member for the Eastern Maori District, that the Natives would prefer that this place, which had been their cradle, should be their grave rather than they should be deprived of it unfairly. In bringing the block under the Native Lands Court they desired to cut off the settlement as a reserve, but the Court which was

there to give the Natives a better title than they had, and which ought to have advised them to take a special grant for this reserve, had not done so, but said they had better take one Crown grant for the whole, and that they could make the reserve afterwards. Very shortly afterwards they leased the block exclusive of reserve. One or two people had been looking at the Crown grant, and, finding that it included the reserve, it happened—as it always did happen in Hawke's Bay in cases of that kind—that a storekeeper got hold of the two Natives in whose name the Crown grant was made out, and supplied them with goods entirely unnecessary, and with liquor. They ran up an account, and at a certain time the storekeeper said, "You owe me so much money. I must have a mortgage." The Natives, being pressed for the money, said they would give a mortgage over so-and-so's lease, mentioning the name of the European who held the lease, which did not include the Native settlement. The European who took that mortgage admitted, when the matter came before the Court, that he was not aware when he took it that he had thereby any extra security, but he found out afterwards that he had, and that his mortgage included the Native settlement, and at the end of six months' time he ran the debt up to a certain amount, and then said to the Natives, "You will have to pay this mortgage off or sell the land;" and they were compelled to do so. He also found out, in the meantime, that the mortgage included the Native settlement, and without telling the Natives of that fact, he sold up the habitations, cultivations, and residences of twenty-five families, whose forefathers had lived there for twelve generations. This case was tried by a European Court, and the declaration was advised upon by Mr. Gillies, the present Judge of the Supreme Court in Auckland. The case came before the Court in Hawke's Bay, and was to be tried by a special jury. Of fifty-three persons, from whom the jury was to be selected, a large number were specially concerned in transactions in land with the Natives; and of the twelve who took their places in the box seven were so engaged, and one was absolutely a mortgagee of the European in the special case. He would not say that the jury were thereby biassed, but it might fairly be assumed that they would act impartially towards the Europeans at any rate, and would not be unfairly influenced in favour of the Natives. That jury found that, of these two Native grantees, one did not know the nature and effect of the mortgage and conveyance, but that the other did. Upon the strength of the verdict, which was looked upon as a division of the point in dispute, the case came down to the Court of Appeal in Wellington. He himself was not prepared to argue the points of law that were brought out in the judgment that was given, but it was to this effect: "You, a mere ignorant Maori, a Native of the Colony of New Zealand, who do not know a word of the English language, and understand nothing of English law, had a piece of land; but because you did not hear of a case that occurred fifty years ago in the English Courts of 'Doe v. Roe,'

or of another case some years afterwards of 'Doe v. Roe,' or, again, of another after that of 'Doe v. Roe,' the Court therefore dismisses the suit and gives judgment for the plaintiff." These people were told that if they would change their title to a Crown grant they would get the security of the European Courts and European law; but they had found out, in every instance, that they had suffered loss by changing their title, and that a premium was given to their being pillaged by putting their lands through the Native Lands Court. That was the first case. The honorable member for Clive, in speaking on the subject on the previous evening, said that, if there were disturbances, they were fomented by the European friends of these people. He would put the case in this way: If a European got into trouble and difficulty and became involved in his business affairs, or if any question in relation to his property arose which he could not settle, he went to his solicitor and asked his assistance. Were the Natives to be denied the same right? Were they not rather doubly entitled to such assistance, because Europeans, having some knowledge of the law, might be supposed to know how to manage their affairs, but these ignorant and foolish people could not be supposed to be able to do so? Were those who took up their cases to be told that they were fomenting disturbances? He might say now that, if it had not been for the assurances he held out to these people of the lawful settlement of their cases, the European population of Hawke's Bay would not have been able to hold that province. When this case was settled, he was in Wellington attending the session, and honorable members would recollect that he left for ten or twelve days on private business. He then went to Hawke's Bay, and, on arrival there, he was waited on by Tareha, a man of considerable standing there, and a Native Assessor in the district, who asked him what was the result of the trial by the Supreme Court of the case of Oamaranui. He told Tareha that the decision of the Court was against the Natives, and that the Court held that they were not entitled to retain possession of the land. Tareha then asked him what he would advise him to do. His reply was, "You must abide by the decision, and put up with the consequences." Tareha then said, "I will not. We have tried European law; but we are satisfied that we are right. I will go on to that land and will hold possession of it;" and he remained on it until a few days ago. In mentioning Tareha's name, he was mentioning the name of a Native who was on the Government side, and he might also mention Renata, who was likewise in favour of the Government. These were the people who were holding possession of the land, and if it had not been for these people he was sure the Government would have tried to put them off some time ago. He would just mention another case that occurred in connection with these Native lands in Hawke's Bay. He wanted to show that after all everything was not as pleasant and cheerful as it looked, and that, while a great deal of noise was made about what a man had done for the country, they should

not lose sight of what he had done for himself. There was a block of land called Mangatiritiri, about eight miles outside of Napier. When he brought this Hawke's Bay business before the House last year he was told by the honorable member for Clive that he (Mr. Sheehan) had never won a case in connection with these transactions, and never would win one. The echo of those words was hardly out of the building when he got a judgment of a most important character, which unhinged the titles of four-fifths of the Europeans in Hawke's Bay. In the case of this block of land the Court gave to all the Natives concerned, except three, their original interest in the land, and said that the grant and conveyance they had made were contrary to law. There were three instances in which it was held that the conveyance was good. The first of these was Te Waka Kawatini who became possessed of the land with other grantees, and at one time held 40,000 acres of the best land in Hawke's Bay. He would like to show the Committee a page from the registry of title of this Mangatiritiri Block. It was simply black with the different kinds of instruments that this old Native had signed. The first was a deed to create a rent-charge, and he would defy any one, whether Native or European, to make any person understand what that rent-charge was. This man was one of the oldest Natives in the province: a real *tupuna*—old and broken down, who could no more understand the meaning of this rent-charge than the man in the moon. It was not to be wondered at that he still sat by the fire in his whare, and talked of owning the property, for he did not know what he had done with it. In the case of Tareha, the Court of Appeal held that his share had gone. There were nine grantees in the block, and some of the Europeans in Hawke's Bay, notably the storekeeper Sutton, offered to pay £500 a share for this land; but Sir Donald McLean bought for £300 the share of Tareha and of another person, when, according to the market price, he should have given at least £1,000. He would state another circumstance of a most singular character in connection with this case. This took place in 1869, a month or two before the Act passed to prevent all sales by single grantees. Grants used to be issued to a large number of people, and until 1869 any single grantee could sell his own share; but by the Act passed in that year it was necessary that a majority of the grantees should consent to the sale. Sir Donald McLean's agreement for the sale to him of Tareha's share in the Mangatiritiri Block went on the registry on the 1st September, and the Act came into force on the 3rd September. These were only two of a very large number of cases. It was no pleasure to him to have to refer to these cases. If he had his choice, he would have his paths paths of pleasantness and his ways ways of peace; but when honorable members were called upon to subscribe to the most fulsome praise of a person who had done no more than anybody else for the country, he felt called upon to state facts which would cause the *coulour de rose* with which that person's actions were surrounded to disappear. He would wait to hear the reply that might be made to him, and then he would be prepared

to debate the matter further, and show forth even grosser cases than those he had put before the Committee. He could show that in nearly every case the persons concerned were persons holding confidential positions either under the Provincial or the General Government, residing in Hawke's Bay. He contended that it was essentially a breach of trust that public officers should use their positions and take advantage of them to engage in transactions of this kind. Those persons were appointed to protect the Maoris, and to stand between them and the ordinary European purchasers; but they could not do so, because in many instances they were buying for themselves. In many instances, the titles had been obtained by the present European holders through storekeepers and publicans who went up amongst the Natives and received large bonuses for carrying out the purchases. Some remarks were made on the previous evening as to whether reserves had been purchased by Government officers, and it was stated by the honorable member for Clive that Sir Donald McLean had not purchased any Native reserves. There was something of the *suppressio veri* about that statement. If the honorable member had said that Sir Donald McLean had not purchased an inch of legally constituted Native reserves, it would have been correct; but when the province was acquired from the Natives, the Natives, partly of their own motion and partly by the action of Sir George Grey, made reserves out of the blocks of land they sold, and Sir Donald McLean had bought and was in occupation of a very large area of these reserves at the present time—some 9,000 or 10,000 acres. To understand the full effect of these things, it must be borne in mind that all this was happening while Sir Donald McLean was a member of the Government, was Superintendent of the Province of Hawke's Bay, and was General Government Agent. He was especially occupying that position which entitled the Native population of the province to look up to him to protect and defend them. He contended that Sir Donald McLean deliberately deprived himself of that power and position. They found that in 1871 Sir Donald McLean himself admitted that Sutton and others were people who had acquired Native titles in a most improper manner, and that such practices should not be allowed; but Sir Donald McLean was compelled to allow those people to do his business for him, and to profit by their speculation. And the crowning act of all this was witnessed a few nights ago, when they saw the Native Minister leading Mr. Sutton into a seat behind the Speaker's chair. These were examples of the work done by the Native Department; and he submitted, with all confidence, that if those questions were taken up in a spirit of fairness by any impartial persons—if they were to look at the legislation of the House and the administration of the Government in reference to Native matters, and see the injustice they had worked—it would be impossible to deny that the Native people had a claim for compensation which no just tribunal could possibly ignore or put aside. It was not so much the Assembly that was to blame, because the Assembly was

guided in its legislation by the representations of the Government. Four or five years ago, it was impossible to get in a word edgewise in Native matters against the opinion of the Native Minister. He seldom condescended to argument, and it was only necessary for him to indicate into what lobby the Government would go. While a debate was going on, there might be thirty members in the House listening to the arguments. Two-thirds of that number would vote with the party endeavouring to get an alteration of the law; but when the division-bell rang, from a certain establishment not far off would pour in a pleasant crowd who would vote with the Native Minister, although they scarcely knew what was the question under discussion. He was unwilling to make attacks of this kind; but when he heard statements that the Native Department had done so exceedingly well—that there was no waste, no injustice, no delay, no sacrifice of the interests of the Native people—he felt bound to mention these things, which he maintained were facts, and could be proved from the Blue Books. It might be that this particular department had been necessary for the Native people—it might be that, the Natives not knowing our laws or language, it was necessary to keep up some sort of barrier between them and the English people; but it was a moot question now whether it would not be better if the Natives had been left free to the operations of the English colonists rather than that they should be subjected to the surveillance of such a department as the Native Department. Talk about the Native Department being the friend of the Natives! He could only exclaim, "Save me from such friends." He did not intend to press his amendment for striking off £10,000 from this vote. Possibly it was well not to go too far in one year. A reduction of £5,000 would perhaps be as much as they could make with safety, and without putting too great a strain on Ministers during the recess. But he did not think they should stop there; he thought they should go on gradually each year reducing the expenditures. He would be very glad to see every penny so reduced devoted to Native schools, because by establishing Native schools they were supplying the best possible argument for the abolition of all special legislation for the Natives. He knew that during the last five or six years a large number of Native people had learned to speak and write English; and he believed that in five or six years more it might be found that the great bulk of the Native people could speak English with tolerable fluency, and write it so that they could be understood. It was only the other day that he received, from a Native attending Parliament in connection with a petition, a copy of a Bill to amend the Native Schools Act. The Bill was drawn and written by the Native himself, and, although containing some mistakes in spelling and grammar, it would do great credit to a European attempting the same thing. This was a proof of what the Natives could do. But if they only held on to the Natives because they had land—if when they sucked the orange dry they threw the rind away—they could not expect any real elevation of the Native people, or any de-

velopment of that civilization they were so fond of speaking about. He believed in letting the Maoris bear their burdens in the same way as the Europeans, and, so long as they were made aware of the responsibility, they should be compelled to take their share of responsibility. But he contended they were bound by every obligation of honor and good faith to do their best to raise those people in the scale of civilization, and to make them as nearly as possible equal to themselves in performing the functions of citizens, and taking part in the government of the country. An experiment which had been made in that House had proved highly satisfactory. No one could deny that the Native members had been of considerable use in the House, and he believed their presence had been very useful in maintaining peace between the Natives and Europeans. The fact of their being here, and being able to urge their claims, had a good effect even in the Native King country. He would just mention one circumstance which had occurred, he believed, in the Waikato not very long ago, when the Native Minister paid his last visit there. He might remark, by the way, that those visits to the King country had become a settled institution. Just before the session there was an irruption of the Native Department into the Waikato. The Native Minister went there surrounded by Native orderlies and Commissioners, and, after performing the necessary ceremonies, an audience was granted to the Minister by the King, whom they saw a long way off. Reporters were present to write high-flown accounts of what took place, which were duly published, and the usual telegrams were sent throughout the colony, "The pacification of the King country is about to take place. Tawhiao has consented to see McLean." They had heard that on several occasions; but although Tawhiao "consented to see McLean," he always appeared to be glad to see McLean going away again. On the last trip, the King sent a deputation to the Native Minister to ascertain what brought him into the King country; and that deputation afterwards presented him with a pig. He contended that the Native Minister should not have gone to the King country and given the sanction of his presence to a district which a few days before was made a sanctuary for a murderer of the lowest possible type. But having gone there, it was necessary to give a colour to his visit; and one of his officers informed the deputation that the "object of Sir Donald McLean was to demand 'the unclean thing,' meaning the murderer. When the deputation returned, the Natives discussed the question, What was the unclean thing? Finally, an old gentleman, who, although he had been a Hau-hau for several years, still remembered his Bible-reading, said that the unclean thing was a pig. Accordingly this historical pig was sent to the Native Minister. He thought it would be a very good thing indeed when they would be able to dispense with the Native Department altogether. There were some who said they would like to dispense with it altogether at present; but he was inclined to listen to more moderate counsels, and to say that it might be dispensed with gradu-

ally. Where the Natives were left to their own devices, they generally managed to get on very well; but their evil habits, their misfortunes, and their trials seemed to be doubled and intensified in proportion to the amount of Government care and protection they received.

Mr. BOWEN said it was an exceedingly unfair thing that assertions affecting the honor of the Native Minister should be poured into the ears of the Committee at a time when it was impossible that the charges brought before them could be examined in a judicial and careful spirit. It must be remembered that there were two parties at Hawke's Bay; and there had no doubt been much discussion on the question of a great part of the land purchases in that province. It must be remembered that the honorable gentleman who had just spoken was the professional advocate of one side in that matter; and, certainly, he would prefer himself to give weight to the report of a Judge who had investigated the matter, rather than to come to a decision upon a speech, however clever—delivered by an advocate, who was putting his own side of a case *ex parte*. The report of the Judges and Assessors who inquired into all these land purchases, together with the evidence taken before them, was laid on the table of this House in 1873. Now, he would put it to the honorable gentleman himself if he would like to have matters in which he had dealt with the Natives brought before the House in his absence—brought forward by an advocate *ex parte* without his having an opportunity of answering them, and poured into the ears of a Committee, who knew very little about the details, and were intent upon other matters altogether? He (Mr. Bowen) had lately read a report on a matter which the honorable gentleman knew all about—a report on the Fakiri Block. No doubt the honorable gentleman had a great deal to say on his side of the case; but that report was very damaging to the honorable gentleman. Would it be fair in his absence to get up in the House, and pour forth all the details of that case—wearing the Committee of Supply with such a matter as that—without his having an opportunity of answering the attacks made upon him? The Native Minister had been in the House for the greater part of the session, but unfortunately he was not there at present, owing to serious illness; and he thought that the course which had been taken to-night was unfair and improper in the highest degree. Now, with regard to the purchases that were complained of by the honorable gentleman, he did not know much about them, but he, like many other honorable members, did know this: that Sir Donald McLean took up the run he was now living upon from the Government in 1865; that he made purchases from the Government; that the greater part of the country he was now living in was purchased at auction in the face of competition; that there was some Native land adjoining his run which he leased for some time, and which he purchased when it became lawful to purchase land from the Natives, and when this was the only means of buying it; and that he had never purchased land from the Natives except to secure the property near his

home, and on which he had been living for years. He would leave it for those who knew better the details of these purchases to give any answer that might be necessary in regard to them for the honorable gentleman who was absent that night. As far as the charges of incompetence or incapacity against Sir Donald McLean were concerned, he could only say that the services of that honorable gentleman for the last thirty years spoke for themselves, and were a complete refutation of anything that was said against him. Sir Donald McLean's services had been acknowledged to be invaluable on more than one occasion. He thought it was in 1844 that the honorable gentleman first served the colony as an Aborigines Protector under Governor Fitzroy; and when Sir George Grey became Governor, and Protectors were generally done away with, Sir Donald McLean was the only Protector kept on, and he was kept on simply on account of the careful and able way in which he had administered Native affairs. When it was found necessary to appoint a Commissioner to purchase Native lands, it was Sir Donald McLean that Sir George Grey employed to purchase a large portion of the lands in this island. If he was not misinformed, at one time, after he had, single-handed, purchased the greater part of the lands of Wellington and Hawke's Bay, and opened the country for settlement, it was Sir George Grey who said that he had raised Wellington from being a fishing village to a place which would be of very great importance. When Sir Donald McLean took office in 1869, it was considered that the Natives should be managed on a system of what might be called personal government; and it was not the fault of the honorable gentleman that they were now growing out of the necessity for such personal government. No one had recognized this more fully than his honorable friend Sir Donald McLean, and it was not right now, when the honorable gentleman had signified his intention of retiring from the Government, to blame him for carrying out a policy desired by the country, and which he alone could have carried out. The influence which the honorable gentleman had at different times exercised over the Native race had been extraordinary, and he was sure that there was no other man in New Zealand who could exercise such an influence over the Maoris. Sir Donald McLean had been accused of lavishness in his dealings with the Natives, and he had also been accused of delay. As to his lavishness, all he (Mr. Bowen) could say was that whatever expenditure he had found it necessary to make in dealing with the Native race had been as nothing, compared with the expense of the most trifling war. As to the delay, he was quite certain that it often had required great nerve and great courage to face this salutary delay, when a rather weaker man might have plunged us into war. We know the story of a great man of old, whose glory it was that "*Cunctando restituit rem*," and he must admit that the Fabian tactics of his honorable friend the Native Minister had been successful here. He felt certain that the policy of Sir Donald McLean had been more advantageous to the country than

any other policy that could have been adopted with regard to the Natives. Both the Government and Sir Donald McLean recognized the fact that the "personal government" which he had referred to must come to an end; but it was the will of the country and of the House that the Native Department should be conducted on such principles as those, and therefore it was not right to blame the Native Minister, who was asked to undertake the duties of his office under those conditions. Anybody who had seen the relations of Sir Donald McLean with the Natives would admit that no persons could appear to be more at home in Sir Donald McLean's house than the Natives, who had always free access to him. He was sure that there were very few men who would have known either how to exercise or to accept hospitality in connection with the Natives as the Native Minister had done. His honorable friend the Colonial Treasurer had pointed out that to cut the estimates down would be to prevent the Government from making any modifications in the Native Department where such might be found necessary. It was impossible for them at that moment to say where reductions could best be made, if they could be made at all. To strike off £5,000 would be to make the position of any Native Minister almost untenable. He hoped the House would pause before it did anything so reckless as to strike off this amount. The estimates for the Native Department had already been reduced year by year for the last three or four years.

Mr. NAHE had a few remarks to make with reference to the Native Assessors. It had been said that the Assessors were paid because they had been mainly instrumental in putting an end to the Maori trouble among their own tribes. A certain chief belonging to the Bay of Islands had sent up a petition praying that his salary might be increased, on the ground that he had shown great energy in putting a stop to the troubles which threatened. The Government officers had expressed themselves as being unfavourable to that petition, and therefore he thought that that was not the real reason why these Native Assessors were paid. He would refer to the Assessors in his own district, the Thames. The Assessors there did not work for the great benefit of the Natives. They strengthened the hands of the Government in the improper purchases of Native lands. When he spoke of improper purchases he meant the cases in which lands were purchased before the Crown grants were issued for them. Those lands were not purchased with money. Lands in the Thames district had been purchased for damaged flour, soap, ropes, and sardines, and he had received letters from those Assessors asking him not to object to such sales as that. Therefore it was that he objected to the payment of money to the Assessors in the Thames district. He did not think that those who were working against the Natives should be paid; but at the same time he did not say that the money should be taken away from them altogether. Nevertheless, he objected to what they had been doing. There was another point to which he would refer in connection with the Assessors at

the Thames, and that was that those who were receiving money from the Government at the Thames were men of inferior rank. They were not nearly such great men as the old chiefs of Hauraki, but they were paid by the Government, and they had their position. Those Assessors also assisted in the unauthorized surveying of land in the Thames district. He was not prepared to support the motion for the reduction of £5,000, as proposed by the honorable member for Rodney; neither was he prepared to assist in making any reduction in the Native Department. He had said these things for the consideration of the House. He had nothing to say against the Native Minister. A great many things had been said against him, and he had received a great many petitions against him, but those petitions he could not support.

Mr. JOYCE regretted that illness prevented the Native Minister being present to hear the charges that had been levelled against his department, which might possibly be construed into charges against himself. An eloquent speech in defence of his cause had, however, been made by the Minister of Justice; and it was possible that had the Native Minister been present he would have made out a worse case, inasmuch as the native modesty of the Native Minister might have prevented him saying as much as had been said by the Minister of Justice. They had from the Minister of Justice a long history of the services rendered by the Native Minister, and the self-denying sacrifices he had made in the public service. He (Mr. Joyce) could have understood the value of these services much better if, at the end of his long career and these self-denying sacrifices, the honorable gentleman had not been the possessor of an enormous fortune, the basis of which depended upon the acquisition of Native land. In other colonies he knew that men who had been engaged on surveys were debarred by law from buying Crown lands at public auction; but here custom seemed to have blinded men, and rendered them incapable of distinguishing between right and wrong. It had rendered them unable to estimate the guilt which might fairly be laid to their charge. It had made them unable to perceive that in these transactions they were absolutely going beyond the pale of the law. In fact, if he were compelled to choose an epithet to express his full meaning, he would say that they had been blinded to such an extent that they acted dishonestly. He had heard something of the personal influence the Hon. the Native Minister had exercised over the Natives; but he declined to acknowledge that he personally had any very great influence over them. He had been informed by those who knew something of these matters, that when the Hon. the Native Minister had no money at his disposal his personal influence was very slight; but from the day he became able to lavish largess right and left, his personal influence became very great. The man who had it in his power to lavish thousands of pounds would always have a great deal of influence, not only amongst Natives, but amongst Europeans. They had made two great mistakes since the white men came to this colony.

The first was in acknowledging the right of the Natives to the land; and the next was, having acknowledged that right, to endeavour to cheat them out of their land. In the second of these mistakes, the Hon. the Native Minister had had an exceedingly large share, and those associated with him had also had a large share, though it was not for him, coming from the South Island, to estimate the exact share of these people. They were very much in the dark in these matters, so much so that he knew of no means of throwing any light on the subject; but this he did know, that a searching inquiry was necessary. Some very great wrongs had been done. He knew something of the Native race, as he lived amongst them over twenty years ago. He learnt their language to some extent, and their method of thought; and although he had nearly forgotten all about it, he remembered enough of them to have this belief strongly fixed in his mind at the present moment, that the Natives were conscious of a deep wrong having been done them, a wrong which could not be redressed by the ordinary procedure of the law-courts. In what way that redress should be given he was not prepared to say. Those who were more conversant with the subject would no doubt take action in the matter; but the sooner a searching inquiry was made the better. He thought there were men who should be made to disgorge the plunder they had taken from the Natives.

Captain MORRIS asked the Premier the name of the Resident Magistrate they referred to in the estimates as being stationed at Wairoa and Poverty Bay.

Major ATKINSON.—Mr. Locke.

Mr. BURNS asked whether it was intended to continue the vote for the *Waka Maori*. The publication was perfectly useless, and should be discontinued.

Major ATKINSON said the paper could no doubt be done without, like a great many other things; but it would not be at all desirable to discontinue it. If efficiently conducted, such a periodical would be of great service in letting the Maoris know what was going on amongst the Europeans. It did not seem to him at all to be desired that the place of the *Waka Maori* should be taken by the *Wananga*, the paper started by the Natives of Hawke's Bay. There were now a great many subscribers to the *Waka Maori*, and it would be a pity to discontinue it.

Mr. TAWITI rose to speak on behalf of the Ngapuhi in reference to the remarks made about Sir Donald McLean. That gentleman had been in the Northern District very many times, and he had never seen him do anything wrong. The Land Purchase Commissioners did not go up to the district secretly. They went up openly, and stated openly that they came there to purchase land, and that they were willing to give 10d. an acre. None of the Ngapuhi people said it was wrong, or objected on account of the smallness of the price. They all agreed to take the 10d. an acre. He heard now for the first time that the Ngapuhi had objected to the Native Minister. He spoke now because he heard that the people at this end of the island were speaking

against the Native Minister, and because those in the North might possibly follow in the same course. The honorable member for Rodney blamed Sir Donald McLean for the Waitara war, but why was he not blamed at the time? The regard of the Ngapuhi tribe for the Europeans had not been purchased. The Ngapuhi had a regard for the Europeans from the time of their first arrival amongst them. The Ngapuhi had their faults and their good points. When the fighting took place with Hone Heke, Tamati Waka fought against him, although he was not ordered to go by the Europeans. That showed that their regard had not been purchased by the Government; it was a regard for the Europeans, which was felt by the people up to the present time. Sir George Grey showed his regard for what Tamati Waka did by paying him. The Maoris then found out that these things had their price. It was not an idea of the Maoris to ask a high price for what they had done: they had been shown that by the Europeans. The Ngapuhis had had no fault to find with the Government during its administration. If any one committed any offence against the law in his district, he was given up in expiation of that offence. He had not seen any wrong-doing by the present Native Minister in the North. During the previous Parliament, measures were taken for the establishment of schools in the North, and also for the making of roads there. The Native Assessors were appointed there by Sir George Grey; they were selected from among many chiefs of the tribes, and they had remained in office up to the present time. New ones had been appointed by the present Government in the same way as they were appointed by previous Administrations and previous Governments. What the Natives in his district wanted to see was that roads should go through the whole district, that the telegraph should be extended, and that schools should be established there. He did not wish to see the £5,000 taken away; he hoped it would be left to be administered by the Government, because there was very little money left now.

Mr. HUNTER did not wish the subject to pass without saying a few words upon it. The honorable member for Rodney had referred to the Native Minister as having been the cause of the disturbances at the Waitara. The honorable member had made statements which the past history would not in any way bear out. At that time, the Native Minister was not a public man; he merely occupied the position of a Native Land Purchase Commissioner. He had been brought up in the employment of a late Governor of the colony, Sir George Grey, the present member for the Thames. Any one acquainted with the past history of the colony knew how thoroughly the honorable gentleman threw himself into the hands of Sir Donald McLean and relied upon him. There was nothing connected with the Natives at that time which could be administered or managed in any way, and no important negotiations could be entered into or carried out, without the intervention of the Native Minister. He (Mr. Hunter), and many others, knew that at

that particular time the proceedings commenced at Waitara were resolved upon in Auckland. The Native Minister was exceedingly unwell. He was living in the house of his father-in-law, in Wellington, and was considered to be at death's door. He was not a party in any way to the Waitara affair; if he had been, probably very serious consequences might have been averted. He was urgently requested to go to Taranaki at the earliest possible moment. He (Mr. Hunter) was not speaking from hearsay, but of facts with which he was thoroughly acquainted. Sir Donald McLean did go, and had an interview with the chief, William Thompson. Negotiations were entered into at that time, which resulted in the Waikatos going back to their own district, and the termination of the war in Taranaki. These facts could be borne out by a reference to the past history of this colony. The honorable member for Wallace referred to the Native Minister having amassed wealth by the purchase of land from the Natives. That was the purport of the honorable member's remarks. He (Mr. Hunter) was in a position to say that Sir Donald McLean never had sold an acre of land which he purchased from the Natives. He owned some land in the Hawke's Bay district, but not that extent of land which might be inferred from remarks made in this House.

Mr. JOYCE explained that he did not say anything with regard to the sales of land; what he said had reference to the purchase of land.

Mr. HUNTER could not see the distinction. It would be impossible for a person to amass wealth by purchasing land unless he sold it again. The common way of amassing wealth was by purchasing land and selling it again. The honorable member for Wallace had not that intimate knowledge of the facts which any individual should possess who brought strong accusations against the Native Minister. The honorable gentleman also referred to the necessity of an inquiry being made. If the honorable member had been in his place last night he would have learned that a very exhaustive inquiry had been made. A special Commission was appointed to investigate all these matters, presided over by one of the Judges of the colony, Mr. Justice Richmond. The honorable member for Rodney had made a speech similar to the one delivered by him last session. The speech last session was to the same purpose and effect, and the Native Minister made a statement entirely satisfactory to the members present. The charges made on one side had been repelled on the other. He thought the majority of honorable members in the House then considered that Sir Donald McLean had the best of the facts and arguments. ("No.") He would say "Yes." That was, of course, a matter entirely of opinion. If it could have been possible to bring home the charges made against the Native Minister, that honorable gentleman would not have so long enjoyed the confidence of the House. The honorable gentleman took charge of the Native Department at a very critical period in the history of this colony. His object had been to do his best to preserve peace, order, and good government in

the country, and he had been singularly fortunate in that respect. The progress made in the North Island since that time was known to every resident in it. A great deal had been said about his personal influence. It was well known that those intrusted with the management of the affairs of a country, to be successful, must have personal influence. In India and other countries, personal influence and ability had a great deal to do in guiding the people. He did not believe the Native Minister ought to be found fault with on account of the personal influence which he undoubtedly possessed, and had used to promote the advancement and benefit of the country. The honorable member for Wallace said the early settlers had made two mistakes. One was not taking the land when they came here. He (Mr. Hunter) did not think that would be a fair or right position for them to have taken up. That was a point which the early settlers could not well have raised, as it would have been settled in a prompt and summary way by the Natives. He did not hesitate to say that the early colonists were under great obligations to the Natives. The honorable member referred to cheating the Maoris of their land.

Mr. JOYCE said the statement of the honorable gentleman might give rise to an erroneous impression as to the purport of what he (Mr. Joyce) had said. He would only be doing justice to himself to make this explanation. What he meant to convey to the House was this: The early settlers finding that the Natives occupied the land, they should not have taught them the idea of ownership of the land. They should have shown the Natives that they came to this country recognising the rights of the King or Queen, as the case might have been at that time—that none of them could acquire land except by purchase in open market from the Queen, whose rights they had acknowledged; that the whole of the land belonged to the Queen or King, as the case might be; and that all had an equal right to acquire as much as they could by purchase in open market.

Mr. HUNTER would not pursue the argument of the honorable member any further, because it was not for a moment tenable, and all experience had shown that the Natives were very tenacious of their rights to land, and they could not be blamed for it. It would have been utterly impossible for the Europeans from the first to the last to take their land, and they had never wished to do anything that was not perfectly fair and just towards the Natives. It was unnecessary for him to occupy the time of the House longer; and he would not have spoken had he not thought it was right that there should be no mistake as to the position of Sir Donald McLean.

Mr. REES would not have spoken again upon this subject had it not been for some of the remarks of the honorable member who had just sat down. He must say he was struck, and no doubt the Committee were struck, at the very singular appearance presented by the honorable gentleman as Sir Donald McLean's champion. Did the honorable gentleman always act as champion, out of the generosity of his nature, for any person who had been attacked in the same way? He

had seen the honorable gentleman in his seat when attacks were made on other persons, especially when they were persons with whom the honorable gentleman did not happen to work very well, and he had not seen him stand up in their defence. The honorable member stood up in defence of the Native Minister—indeed seemed to push himself forward as a self-constituted champion. The Native Minister had other and legitimate defenders, his colleagues, who were amply able and prepared to take up that honorable gentleman's position. He did not know what peculiar position the honorable member for Wellington City was in, when he said he was authorized to say and do this or that. If the honorable member stood up as the Native Minister's agent, of course the Committee would know what value to attach to the assertions he made and the arguments he used; but if he spoke simply as a member of the House on behalf of a gentleman who did not happen to be present, it would be very right to accord him respect for doing so, but he must object to the honorable member answering in such a dictatorial tone. He was rather astonished to hear that honorable gentleman's sentiments, which were echoed by one or two of the Committee, that purchasing land did not make a man wealthy until he sold it. If that were the case, the rich Natives who had sold the land had become wealthy, and the poor people who purchased the land had become very poor. That was the logic of the honorable member. The Native Minister and one or two other gentlemen in Hawke's Bay who had been in the habit of purchasing land had become very poor, and the man who got 50,000 or 60,000 acres of fine land for next door to nothing must be counted almost a pauper, whereas the people who sold the land became very rich and wealthy by the transaction. The Minister of Justice defended the Native Minister in a most gentle and amiable style. He would not say with any point; but his remarks were certainly impressive if they had not any point. It had been said that if the Native Minister were here, he would deny all the statements made against him, and disprove them all. It was a somewhat remarkable thing that although the honorable member for Rodney who had spoken of these matters had become cognizant of the intricacies of the department, and had been able to tear aside the curtain and look into the charnel-house a little closer than other people, there was a very disagreeable ring of truth about every word the honorable member said. With what singular force the statement the Committee heard from the honorable member for the Eastern Maori District on the previous evening came, after the subdued and very gentle statement, the sort of smoothing-over process, by the honorable member for Clive, when he spoke of the matter. He was astonished when he heard that honorable member say that nobody was in arms, and that nobody was prepared to defend the land. Why, any one who knew anything at all about the Maoris knew that if they held a piece of land, and said they were prepared to fight for it, they were prepared to fight for it. He wished to

know whether the honorable member for Clive would like to go to put these men off the ground. No; the honorable gentleman would take very great care to keep away; he would take very great care that other people should do that, and he would stay here. The honorable gentleman said there would be no resistance, and the men had not got any arms; but the two Native members said they had telegrams from there which said that, although the soldiers might be sent up there in pursuance of the threats, yet they would fight. Was that the action of men who were waiting to be persuaded by the honeyed voices of Mr. Locke and others, and one police officer and the Sheriff who had been sent to try to get them off the land? The language of the Natives was the language of men prepared for resistance; of men who were determined to make, in the words of the honorable member for the Eastern Maori District, their graves where their cradle had been. In relation to the statement of the Minister of Justice, who stood up and expressed himself in a very gentlemanly manner, in the very courteous manner in which he usually addressed the Committee or the House, by which he supposed the honorable gentleman intended to make up for the point in his remarks which was wanting—that if the Native Minister had been here he would have immediately denied the statements,—he would say that the Native Minister had been in his place when such statements were made, and what did he deny? One statement alone. He (Mr. Rees) had said that when certain lands were purchased in Hawke's Bay, Sir Donald McLean went there with the then Governor, Sir George Grey. The Native Minister contradicted that, and said nothing of the sort was done; and it turned out that that gentleman had gone the day before and met the Governor there. That was the denial; but the Native Minister did not dare to deny the statements made as to how he got those reserves into his possession. If the honorable member for Clive had been present when the Native Minister did not deny these statements, the honorable gentleman would not have said that the Native Minister did not get an inch of those reserves; and if he was present, he had no right to say what he had. He was very much pleased indeed to hear the statement made by the honorable member for Rodney; for too much light could not be thrown upon these matters. It was all very well for members of the Ministry, or members of the House, or other persons to attempt to say that there was no ill-feeling amongst the Natives, but it was not so. In Waikato, it was not so; in Napier, it was not so; and as to the good-will the Natives bore to Sir Donald McLean, he would say that the Native member for the Northern Maori District was elected by the Ngapuhi on purpose to support Sir George Grey against Sir Donald McLean. The honorable gentleman was pledged to that, and was put in for that purpose. What did the Native Minister do? He went up north by the "Luna," got the honorable member on board, brought him down here, and it was then found that the member for the Northern Maori District had forgotten his pledge to

support Sir George Grey, and was a hard supporter of the Government. Ngapuhi chiefs, great chiefs, had written to the honorable member, and sent messages reminding him of his pledges; but Ministers had such influence, and were such amiable and accommodating people, that he was sure, no matter what promises he had made, they were the proper people to support, and he meant to support them. That was having influence with the Natives. The influence which the Native Minister exercised on the Natives was a pernicious influence. It was an influence which sowed disaffection among the Natives themselves, and taught them, as the honorable member said, that all these things had their price, and taught them that that which was at first intended as a reward for services rendered was a reward for services which might be rendered, services political or otherwise. The statements made by the honorable member for Rodney were not, as the Minister of Justice said, as to the incapacity of Sir Donald McLean to do this work, or want of power to do it. The honorable member for Rodney distinctly admitted the power and capacity of the Native Minister, but said that a great portion of it was used not for the purpose of benefiting the public, but for the benefit of the Native and Defence Minister and for the benefit of his friends. That, Sir, was what the honorable member complained of. Everybody knew that Sir Donald McLean had had a considerable amount of influence with the Natives for a long time; but the question was, whether that influence was exercised for the benefit of the country, unselfishly, and with a view to a high standard of patriotism. No self-constituted champion of Sir Donald McLean stood forth to defend him in the days when he was not in power and was not wealthy.

An Hon. MEMBER.—I did.

Mr. REES was glad to hear the honorable member say he had. The honorable member who had said that had been till lately an opponent of the Ministry. It was wonderful to see the transformations which came about, to see how people chopped and changed about; and they called it, he supposed, political consistency. He did not see that the reduction proposed could be agreed to, and, from what he had heard in Committee, he was not prepared to support it. He would not interfere with anything that was being done for the Natives, especially when they saw that the sum of £8,000 granted for secret-service money last year had been reduced to £1,000. There was one vote to which he would object: that was the vote for the Maori newspaper. This paper had simply been used as a political organ by the Government. Honorable members knew something of other newspapers being used to influence Europeans, and it was just the same with this newspaper, which was used to influence the Natives in favour of the Government and against the Opposition. He would oppose that vote, because it was not only useless, but mischievous. There was another Maori newspaper which it might be said was used by the Opposition; but it was supported by private enterprise. Let the *Waka Maori* do the

same, and depend upon its own merits, and let not the money of the country be spent to keep up a newspaper especially for the Government. He would merely add that he would prefer to see the vote for Native schools increased rather than diminished; but he would move, That the vote be reduced by the £400 for the Maori newspaper.

Mr. TAWITI wished to reply to the statement of the honorable member for Auckland City East that he had been elected to support Sir George Grey. He was elected by the people to support the General Government. There were three candidates opposed to him at the election, who were supporters of Sir George Grey. He left Wiremu Katene out of the question, but none of those who voted for the other candidates voted for him on that occasion. The honorable member said a great many telegrams had been received about his (Mr. Tawiti's) proceedings. Where did they come from, and what tribes objected to what he had done? If the honorable member had these letters and telegrams, let him show them. The honorable member said that Sir Donald McLean got him on board the "Luna," and brought him from the district; but that was not the case. The "Luna" happened to go to Hokianga and he took his passage in her. He had not been bought by Sir Donald McLean, and had never received anything from him. It was said that he had been bought by the Government, but such was not the case. The only money he got was the honorarium as a member of the House; and that he would still receive even if he supported Sir George Grey. How, then, could it be said that he was bought? He supported the present Government because he believed they were right. He had no personal enmity against Sir George Grey, but he supported the present Government because they had done good work in his district. If Sir George Grey were in the Government, he might perhaps support him.

Mr. ROWE must confess that he sympathized to a very large degree with the honorable gentleman who had just spoken. He believed the honorable member for Auckland City East, in referring to that honorable gentleman, spoke upon a subject with which he was entirely and absolutely unacquainted, and he felt deep regret, while that honorable member was speaking, that he should have referred in such terms to the honorable member for the Northern Maori District. He (Mr. Rowe) was acquainted with what took place at the elections of that honorable gentleman and other Native members in Auckland, and he could say that what occurred during the elections did not bear out a single statement or remark made by the honorable member for Auckland City East. Those remarks were utterly baseless, and without any reason whatever. The honorable member for the Northern Maori District did not promise to support Sir George Grey, and the assertion to that effect was utterly contrary to truth. Although the honorable member for Auckland City East frequently departed very widely from the right mark in his speeches, he had never departed more widely than he had done on this occasion. The honorable member

for the Northern Maori District had the courage to defend himself, and he could indorse every word that honorable gentleman said.

Mr. TAKAMOANA rose to speak on account of what the honorable member for the Thames (Mr. Rowe) had stated. If the Ngapuhi wanted to elect a candidate to support the Government, they would have re-elected Wiremu Katene. He believed the candidate who was elected was elected to support Sir George Grey; and all the other candidates except Wiremu Katene were in opposition to the Government. If the honorable member who represented the Northern Maori District had any document to produce from the Ngapuhi, then he would assent to what he said. The other three Native members had received letters from that district. That was an answer to the honorable member for the Thames. He had something to say also with reference to the praises of the Native Minister at the hands of his honorable friends the Native member for the Northern District and the Native member for the Thames. He wished the Committee to understand that he knew Sir Donald McLean, and had been his companion from his youth up to the present time. He did not know that his works had been good. The large blocks of land which were sold to him were all right; but the reserves made at the time he was Commissioner were made by the Natives for themselves and had been purchased by him. During the time he was Minister, some of these lands were passed through the Court, and he bought them. He had bought large blocks for himself. There were Ngatarawa, the Mangateretere, and the Torekareka Blocks. He also bought Tareha's share in the Crown grant for himself. There were twenty persons interested in these blocks, two of whom did not sign the deed. He (Mr. Takamoana) did not sell his interest in either of these blocks to Sir Donald McLean. He did not understand that Sir Donald McLean was purchasing them for the public, but for himself. That was one fault he had seen in Sir Donald McLean. Another thing was that a great many people had been to him to ask that some of their lands should be left to themselves. He also, as a large landowner, went to the Native Minister for the same purpose. But he did not agree with their request. He told other people not to listen to what he had to say in objecting to the sale of lands. This was why he urged those objections against the Native Minister. That was why he was not able to support the Native Minister as his honorable friend had done. They only saw him as a Minister; but he lived in the same place as he (Mr. Takamoana) did. The Superintendent of Hawke's Bay was the Native Minister's friend. Their thoughts were the same. His land, himself, and his relatives were given over to their dominion; and it was supposed that they would act as parents and protect their lands. But now they had leased the lands to some one else. Therefore he said the Native Minister had leased that land wrongfully. The land was also being destroyed by excavations and drains. He did not believe the statement that the railways and all the money came from the Native Minister. It came from the colony.

He did not ascribe any of the works to him at all. He suggested that a day might be set apart when all the documents against the Native Minister might be brought forward. Letters had been sent from all parts of this island to Sir George Grey; and there were others inviting Sir George Grey to go about among the Maoris when the session was over. They would learn that a great many people in this island were against the Native Minister. The honorable Native member from the Thames (Mr. Nabe) said he did not object to the Native Minister; but had he not got a great many letters from his tribe setting forth the evil deeds of the Native Minister? He stood up because he was not going to be intimidated, and he was not going to hold his tongue. The statements he was now making were with reference to the question before them. If any other objections were brought forward against the Native Minister on different grounds, he would be able to speak to that also. It was because the lands were mortgaged that the Natives were in this distress. They were not told that they could meet those mortgages in another way. What the Native Minister told them was that they could not be set aside. It was proposed that the question of those mortgages should be brought before the Commission, with the view of preventing the Maoris from getting justice. The Maoris were told to go to the Supreme Court, and it was only said to them as intimidation. But the Europeans found they were wrong when recourse was had to the Supreme Court. They now had to bring in a Bill to Parliament for the purpose of validating their improper purchases. That was the reason why he said before that, if they continued to act in this way towards the Natives, he would have to go to England. It was through robbery that the Native Minister had gained his present position. If he had bought the land fairly, he would not have got nearly so much. It was through deceitful sales that he had got so much land. The objections against those evil deeds would not cease. The Natives would not cease acting as they were doing until they were one people, and until they did away with laws the end of which was that their lands should pass away from them for money. He preferred death to life. It was not well that they should go on with grievances year after year. Those who were able to frame laws had framed them with a view to the destruction of their lands. He did not wish to speak about the money part of this question. It was on account of the evils that had been committed that he had spoken. He thought he had said it would be well to do away with the Assessors. The honorable member for the Middle Island thought he referred to the whole of the Assessors; but he referred especially to the Assessors in his own district. He was not able to speak about the Assessors of the Ngatiporou, referred to by Mr. Ormond, because they were military men. They were captains and majors, and were not appointed as Assessors. The Ngatiporou were first employed as soldiers. The Assessors he referred to were those in his own district. The two chiefs among them who had been appointed were Hapuku and Tareha. They were

suffering under the grievance of land being purchased by the Native Minister. Henare Koura was another. Because he objected to the sale of the Seventy-Mile Bush, his services were dispensed with. There was now no Assessor in Hawke's Bay. He was in the position of an Assessor to the Government if he were paid. That was the reason why he did not speak on the money part of the question. He also took part in fighting against the Hauhaus. He never asked for any pay. He only asked for the expenses he had been put to. The Minister knew that, and so also did Colonel Whitmore. He had never been paid yet for his food. The honorable member for Timaru knew whether he had received any thing for his services.

Question put, "That the vote be reduced by £5,000;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	38

Majority against 20

AYES.

Mr. Baigent,	Mr. Rees,
Mr. Burns,	Mr. Swanson,
Mr. De Lautour,	Mr. Takamoana,
Mr. Fisher,	Mr. Thomson,
Sir G. Grey,	Mr. Tole,
Mr. Hislop,	Mr. W. Wood.
Mr. Hodgkinson,	
Mr. Joyce,	<i>Tellers.</i>
Mr. Larnach,	Mr. Murray,
Mr. Lusk,	Mr. Sheehan.

NOES.

Major Atkinson,	Mr. Pearce,
Mr. Barff,	Mr. Pyke,
Mr. Bowen,	Mr. Reid,
Mr. Brandon,	Mr. Reynolds,
Mr. Bryce,	Mr. Richardson,
Mr. Carrington,	Mr. Rowe,
Sir R. Douglas,	Mr. Stafford,
Mr. Fitzroy,	Mr. Stevens,
Mr. Gibbs,	Mr. Tairaoa,
Mr. Henry,	Mr. Tawiti,
Mr. Hunter,	Mr. Teschemaker,
Mr. Johnston,	Mr. Tribe,
Mr. Kennedy,	Mr. Wason,
Captain Kenny,	Mr. Whitaker,
Mr. Lumsden,	Mr. Williams,
Mr. G. McLean,	Mr. Woolcock.
Mr. Montgomery,	
Mr. Moorhouse,	<i>Tellers.</i>
Captain Morris,	Mr. Kelly,
Mr. Ormond,	Mr. Rolleston.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. O. Brown,	Mr. Manders,
Mr. Shrimski.	Mr. Bunny.

The amendment was consequently negatived.

Mr. REES moved, That the vote be reduced by the sum of £400. He did so for the purpose of doing away with the *Waka Maori*, which ought to be self-supporting, and would be if it were conducted energetically as was the *Wananga*.

Mr. DE LAUTOUR observed the name of Colonel McDonnell amongst the items. It would be remembered that the name of that gentleman figured unpleasantly in connection with the Tairua investigation of last year, and he desired to know whether he was to be again appointed in the Native Department upon the conclusion of his year's leave of absence.

Major ATKINSON said Colonel McDonnell was at present on leave for twelve months on full pay, to which he was fully entitled, on account of his services to the colony in past years.

Mr. MURRAY wished to know why two Civil Commissioners were to be employed at Taranaki.

Major ATKINSON replied that Mr. Parris, the Civil Commissioner, was about to retire from the service, and it was thought desirable to appoint a successor at a less salary for two or three months, in order that he might be initiated into the work.

Question put, "That the vote be reduced by £400;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	21

Majority for 8

AYES.

Mr. Baigent,	Mr. Reid,
Mr. Barff,	Mr. Rolleston,
Mr. Brandon,	Mr. Sheehan,
Mr. De Lautour,	Mr. Stafford,
Mr. Fisher,	Mr. Stevens,
Mr. Fitzroy,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hislop,	Mr. Teschemaker,
Mr. Hodgkinson,	Mr. Thomson,
Mr. Kennedy,	Mr. Tole,
Mr. Larnach,	Mr. W. Wood,
Mr. Lumsden,	Mr. Woolcock.
Mr. Lusk,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Burns,
Mr. Murray,	Mr. Rees.

NOES.

Major Atkinson,	Mr. Pearce,
Mr. Bowen,	Mr. Pyke,
Sir R. Douglas,	Mr. Richardson,
Mr. Henry,	Mr. Rowe,
Mr. Hunter,	Mr. Tawiti,
Mr. Kelly,	Mr. Wason,
Captain Kenny,	Mr. Whitaker,
Mr. G. McLean,	Mr. Williams.
Mr. Moorhouse,	<i>Tellers.</i>
Captain Morris,	Mr. Carrington,
Mr. Ormond,	Mr. Gibbs.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. C. Brown,	Mr. Manders,
Mr. Shrimski.	Mr. Bunny.

The amendment was consequently agreed to.

Item, as reduced to £21,982 18s. 9d., agreed to. Native Schools, £11,000.

Mr. MONTGOMERY wished to know whether the Government intended to increase this vote. From the statements made, it appeared

desirable that the schools should be made more efficient, and the salaries of the teachers increased. They could not expect men of first-class ability to conduct schools without paying them well.

Mr. BARFF wished to know why the sum of £170 was put down for Pakowhai School, and a similar sum for Omahu School, when both these schools had been closed for about eighteen months.

Mr. SHEEHAN said that, although these schools had been closed temporarily, the Committee should not refuse to vote these amounts, because this money was not paid, and would not be paid, unless the schools were kept open. He knew that one chief, Renata Kawepo, had given 60,000 acres of land as an endowment for school purposes. That endowment would become the nucleus of a College for the Native people in Hawke's Bay. They would not be encouraging the Natives, or setting them a good example, if they refused to pass those two items.

Major ATKINSON said the question put by the honorable member for Hokitika had been answered by the honorable member for Rodney. With regard to the question put by the honorable member for Akaroa, the Government were fully alive to the necessity of getting more efficient masters for the Native schools. They did not think it advisable to proceed too suddenly in this matter. If during the recess they found it desirable to ask for a larger amount next year, they would do so.

Mr. REES said that a great number of the masters were able and efficient men, and he regretted that they did not receive more salary than was now paid to them.

Mr. BARFF would like to know what had been done with the money voted last year for the two schools referred to, if they had been closed since that time.

Major ATKINSON said that if the vote had not been spent, it would remain in the Treasury.

Mr. KELLY thought that some provision should be made for the establishment of a Native school at Taranaki.

Major ATKINSON said the Government would establish a school there.

Captain KENNY called attention to the item Native School, Wairau, £60. He had no objection to this item; but last session he asked the Native Minister to make provision for a school at Waikanae. There were a greater number of children in that locality than in any other part of the province, and he was surprised that, while provision was made for a school at Wairau, nothing had been done to provide a school at Waikanae.

Major ATKINSON said that if a school were wanted at this place, the Government would be very willing to establish one.

Item, Native Schools, £11,000, agreed to.

Native Land Court, £1,052 19s. 7d.

Mr. SHEEHAN said he understood that during the recess the Government intended to prepare an entirely new system of dealing with Native lands. He thought this vote ought to be removed from its present position and placed

with the vote for the salaries of the Judges of the Supreme Court. There was a suspicion that the Court was under the control of the Native Department, and that prevented it from being so useful as it might be. By removing the vote as he suggested, that suspicion would be removed.

Mr. ROLLESTON trusted the Government would consider the advisableness of giving effect to the suggestion made by the honorable member for Christchurch some two or three years ago—that a considerable portion of the vote devoted to land purchases should be applied to giving free the titles of Natives, and to rendering the obtaining of a title easy. The European purchaser should reimburse the expense upon surveys. He believed that course would tend greatly to make the Native Land Court a success.

Major ATKINSON said it was the intention of the Government to introduce a Native Lands Bill next session, but the particular form of the Bill had not been determined upon. The vote for the Land Court had been included in the Native estimates in obedience to a resolution of the House; but he quite agreed that, as a judicial matter, it should appear upon other estimates.

Item, Native Land Court, £1,052 19s. 7d., agreed to.

"Native Lands Frauds Prevention Act, 1870," £450, agreed to.

Wairarapa 5 per cent. Land Purchase Account, £150, agreed to.

CLASS VII.—MILITIA AND VOLUNTEERS, ARMED CONSTABULARY, AND DEFENCE.

Militia and Volunteers, £24,553 12s. 6d.

Mr. MURRAY did not desire to say anything disrespectful of the Volunteers, but he thought it was time that shooting clubs should be done away with. He would move, That the vote be reduced as follows:—Wellington, £750; Hutt, £354 15s.; the sum put down for South Island Volunteers, £6,223 7s. 6d.; prizes for rifle shooting, £2,000, and passages, &c., of competitors, and expenses of prize-firing. That would make a reduction of more than £10,000. He would also propose that the item "Officer Commanding Volunteer Cavalry, Waikato, £300," be struck out. That salary was altogether disproportionate to the value of the services he had rendered. There was a cavalry instructor and also an orderly clerk.

Mr. LUSK understood that the officer commanding the Wellington District, whose salary was £300 a year, had very little, if anything, to command. He would like to know the strength of the Wellington Volunteers.

Major ATKINSON said there was not a very great deal for the officer to do. There were in Wellington one or two very efficient corps besides cadet corps, and the officer had also to perform the duties of storekeeper. The strength of the Volunteers in Wellington was 255.

Mr. PEARCE pointed out that the command of the officer was not limited to Wellington, for there were several corps under him. The city corps were at present as strong as they had been for many years, and the Artillery Corps was stronger than it had ever been. The time of the

officer referred to was fully occupied with his duties in town and country. His own opinion was that the Volunteers should be encouraged: that was the tendency in England now, and the result was very satisfactory. When they had no permanent force but the Armed Constabulary, it would be a great mistake to stop volunteering in the North Island.

Mr. LUSK said his object was not to stop volunteering in the North Island, but to prevent money being spent when there was no necessity for it. At the Hutt, which was no great distance from Wellington, there was also a commanding officer at £300 a year. There seemed to be a great number of officers in proportion to the men.

Mr. PEARCE said the officer commanding at Wellington had under command corps at Porirua, Palautanui, Makara, and Karori. He would point out, with reference to the statements as to the strength of the Wellington Volunteers, that although there were now only 80 men in the Artillery, perhaps some 300 or 400 men had passed through its ranks, some twenty or thirty leaving every year after being trained as artillerymen and to the use of the rifle as well. That was the way to look at the question, and not merely to consider the present strength of the corps.

Mr. SHRIMSKI would vote to strike out the vote for the Wellington Volunteers; and would ask the honorable member for Bruce merely to reduce the vote for the Middle Island to £1,500, so as to keep up the drill instructors for schools, as they would be very useful. He quite agreed that volunteering generally was merely a pastime for some people.

Mr. MURRAY would accept that amendment.

Mr. BURNS pointed out that if all these items were struck out there would be no necessity for two clerks in the Defence Office, and the vote for their salaries might be struck out.

Sir R. DOUGLAS said if the Government would take the advice of one who had seen some service, and had seen Volunteers under fire, it might be of some use. His view was that it would be best to train men so as to constitute what he might call a staff corps, and who should be able to use guns as a naval or artillery corps. Mere rifle-shooting corps were at all times of very little service. If these votes were confined to Volunteers using big guns, the money would be well spent; but if it was simply for men to go into rifle practice without any regard to efficiency, it would be much better to have a good Militia. Militia training should commence in the schools; because if the children were trained, there would be no difficulty afterwards in putting young men into their proper positions if the country were called upon to defend itself. The greater part of the coast of New Zealand contained harbours, and if the colony had to defend itself it would be from flying squadrons. Any force attacking the ports would do so from a distance, and rifle corps would be of very little avail, whereas with a good Artillery these vessels could be kept at a distance. Vessels attacking any port in the colony would have to carry coal enough to bring them here and take them away again, so they would most likely be of the "Alabama" class, which could easily

be kept off by Artillery. Take Wellington, for instance: if there were good gunners in Wellington, they could very soon put their guns on railway trucks and get them into position where they could be used most effectually. The town might have to stand bombarding for a time, but that was not so difficult to bear as persons who had not experienced it imagined. The Russians were the Power most likely to attack us, as he did not suppose it was probable America would ever do so; and he knew very well from the rules of war that the first volley of rifles against them would cause results which would make the colony wish it never had any Volunteers. The wisest thing, if not able to fight with a prospect of success, would be not to fight at all; but if you must fight, fight with Artillery. A good deal of the money on these estimates was evidently intended for prizes; then give it for prizes, and say so. With reference to the number of officers, he believed that if a little more money was spent on good drill instruction it would not be necessary to have so many officers; for one or two good officers would look after the whole of the instructors.

Mr. LUSK did not pretend to be able to grapple the question from a professional point of view; but the honorable gentleman had omitted to state that there was a possibility of attack from an enemy who would not come in ships. It was in resisting such an enemy that the colony had seen most of the work done by Militia and Volunteers in New Zealand. Having himself seen the proceedings during the Maori war from 1862 till its close, he would say that both the Volunteers and Militia of Auckland did very good service, as did also the corps belonging to Wellington and Taranaki. It would not be right to lose sight of the benefits which had been conferred upon the colony by the Volunteers and Militia in the past, even though they might have had an inadequate amount of drill. It might be well to encourage Artillery more than was done at present, and to do more with the militia, although that was scarcely possible under the present law; but it would be a great mistake to do anything that would lead to the disbanding of the Volunteers or Militia. The protest he had made was not against the Volunteer corps, but against the over-officering of them.

Mr. REYNOLDS intended to propose an amendment which he thought the honorable member for Bruce would accept. He would move to strike off £2,066 from the North Island estimates, being the amount for the Wellington Volunteers, and he would strike off the whole of the Middle Island vote except so much as would be sufficient to provide for drilling boys in the Government schools. In Dunedin, the boys were generally trained by the teachers; but it would be necessary to have drill instructors in the country districts. He would move that £9,684 17s. 6d. be struck off that vote.

Mr. PEARCE thought that the honorable member scarcely knew what he was doing in proposing to strike off the vote for the Wellington Volunteers. Was he aware that that department kept in order the arms not only of the dis-

strict itself, but also of a great part of the Southern Island? The honorable member seemed to have an extraordinary down upon the vote for Wellington. He did not know what Wellington had done that its vote should be specially struck out. The Volunteers in Wellington did more duty than the Volunteers in any other part of the colony.

Mr. REYNOLDS said he proposed to strike out the Wellington vote because there was no need for Volunteers in Wellington.

Mr. FITZROY thought the Volunteers in the North Island might be of some use in the event of disturbances with the Natives, and believed that the Artillery Corps of Wellington was second to none in the colony. As regarded the Volunteers in the South, he had not much to say either for or against them. The only time they were called upon to do anything was when there was a war in the North; and when a few recruits were obtained from among their ranks, they did not give a very satisfactory account of themselves.

Captain KENNY warmly sympathized with the remarks of the honorable and gallant member for Marsden when he laid so much stress upon the necessity for a Militia force in this country. But, as a practical settler in this colony, he knew that, however desirable it might be from a professional point of view to have a Militia force, it was simply impracticable. It was beyond their reach; and therefore he believed their duty was to make the Volunteer force as efficient as possible. Retrenchment was the order of the day, and he would readily indorse any proposition to reduce the expenses of this department. But he hoped that the Committee would leave it to the Government to consider in what direction they could make reductions without impairing the efficiency of the Volunteer corps, and without in any way discouraging the spirit which at present induced the youth of the colony to take to the practice of arms.

Captain MORRIS thought the whole system of volunteering as a defence against the Maoris was clearly wrong. What was required was the organization of four or five companies in the North Island, which should be composed only of men who had seen service in the bush. These men could be obtained for about £12 a year, and they should be drilled three or four days in every quarter. The commanding officers need not be men of high rank, but they should be used to bush work. Then there would be an efficient force; but to suppose that the Volunteers of the South would be of any good for bush work was a great mistake. He would like to see the vote for the Armed Constabulary considerably reduced. Instead of keeping the men about the town, as they were now, they should be sent into the out-districts to repair roads, which without them would never be repaired.

Sir R. DOUGLAS said that having served in New Zealand he knew the value of the services of the Volunteers in the North Island, but they were not what were called Volunteers in that House. The men he saw under fire along the West Coast were as much soldiers as the regulars. They

were very different from those Volunteers, who should be done away with, and the sooner the better.

Major ATKINSON thought it would be a mistake to make the reduction proposed. The Committee really did not possess the knowledge necessary to deal with the subject, and he would give an assurance that the Government would make reductions wherever possible. He quite agreed that the Armed Constabulary force could be reduced, or rather, to put it correctly, that there were too many officers. If the Constabulary was to be kept down, it would be necessary to keep up the Volunteer force in the country districts especially, and every encouragement should be given to the drilling of the youth of the colony. That was a very important element; and until they had been got into a regular course of drilling, it would be unwise suddenly to knock off the Volunteers. They ought to do all they could to encourage the military spirit in the population, and not stamp it out for the sake of £2,000 or £3,000 a year. There was one item which the Committee might fairly consider, with a view to reduction if it thought fit, and that was the item for prize-firing. Whether it was necessary to keep up that expenditure from year to year was a matter of doubt.

Mr. SHRIMSKI thought it would be better in many cases to pay the drill instructors a slight increase, instead of maintaining a lot of captains, majors, and colonels.

Mr. REYNOLDS said he had made up a list of items, the omission of which would save £11,529. Amongst these items were the sum of £6,223 for the Volunteers in the Middle Island, the whole of the vote for Wellington, £2,000 for prizes for rifle-shooting, and other sums, such as passages of Volunteers, &c. He found, however, that seven months of the year had expired, and he would therefore propose to reduce the total vote by £5,000.

Mr. SHEEHAN asked the name of the gentleman who appeared on the estimates as Officer Commanding the Cavalry in the Waikato.

Major ATKINSON.—Major Jackson.

Captain KENNY would like the Premier to state distinctly whether it was the intention of the Government to adopt a stringent system by which the efficiency of the Volunteer corps would be secured at less expense. An assurance of that kind would induce the Committee to leave sufficient means at the disposal of the Government. There were gentlemen connected with the Volunteers who performed the duties of adjutants, and merely drew travelling allowances. There was one such officer in his own district, and another in Westland; and it would be a pity to destroy the efficiency of the Volunteers by dispensing with the services of those officers.

Mr. HENRY hoped the vote for the Middle Island Volunteers would be struck off; and that the Volunteer corps of Hawke's Bay, Taranaki, and Auckland would alone be continued.

Mr. ROLLESTON could not understand why the Volunteers should be maintained in one part of the colony and not in another. If the Volunteer system should not be continued, let them

abolish it. They should educate the youth of the colony to become soldiers, and foster a military spirit in the schools of the colony. He would like to have some indication of the amount of reduction which the Government thought might safely be made, and the limit within which the department might be modified and re-arranged. The department should be considered as a national department. He would be in favour of a considerable reduction, with the view of reconstructing and reorganizing the department.

Mr. MONTGOMERY did not think it would be prudent to reduce the Volunteer force in the North Island. They should keep up what might be called a warlike spirit among the people in the North Island. He would move, That the item of "Storekeeper, Wellington," be reduced by £50.

Sir R. DOUGLAS would like to know if the Government were inclined to turn the Volunteers into corps of Artillery and Naval Volunteers. The expense of training these corps in gunnery practice would not be much. If the Government did not intend to do so, he would vote against the continuance of the Volunteers.

Major ATKINSON said the Government would not be prepared to do so. They thought it would not be wise to adopt that course. With regard to what had fallen from the honorable member for Pictou, the gentleman referred to had done a good deal to promote the efficiency of the Volunteers in that part of the country. With reference to the remarks of the honorable member for Avon, he might state that he had taken up these estimates in the absence of the Native Minister, and was not prepared to go fully into the matter without having first duly considered it. If it would meet the views of the Committee, he should be prepared to reduce the total vote by £4,000, the matter to be left in the hands of the Government.

Mr. BRANDON thought that a saving of £3,500 might be effected in the Miscellaneous items. He did not see the necessity for keeping up the system of giving prizes.

Mr. SWANSON did not approve of having merely Artillery and Naval corps, as in that case the volunteering would be confined to the seaports. He advocated continuing the prize-firing, as it was an incentive to Volunteers. If it were done away with, the whole system of volunteering would break down.

Mr. WASON wished to know why different salaries were paid to the commanding officers. He thought there should be a certain amount of uniformity in these salaries.

Mr. LUSK said the person who would receive the vote of £300 as Officer Commanding the Waikato Cavalry had lately been a member of the House. The appointment, which was a new one, was not necessary; but, if it were, there was a much more competent officer in the district, who should receive the appointment if any one did.

Mr. SHEEHAN would appeal to the instincts of the Premier not to let a job like this pass. There were only 150 Cavalry Volunteers in Waikato, and there were already the following paid officers:—Officer Commanding District, £100,

(also Armed Constabulary, £300); Cavalry Instructor, £45 12s. 6d. (also Sergeant-Major Armed Constabulary, at 9s. per diem); and Orderly Clerk, £18 5s. (also Sergeant Armed Constabulary, at 7s. per diem). He thought the House would not lend itself to the practice of appointing persons who had lately been members of it to positions of emolument or profit.

Mr. FISHER thought it would be well to strike out the whole vote for Volunteers, and reorganize the system.

Mr. JOYCE would be very sorry to see any undue reduction in the vote for Volunteers in the South Island. He had always believed the Volunteer system to be a sham, and was in favour of a Militia; but by drilling the Volunteers, they were making them trained men, and were thus preparing them for service in the Militia.

Mr. ROLLESTON hoped the Government would give an assurance that they would go into the whole department carefully, and not make the reduction exclusively or mainly from the vote for prize-firing. He thought the motion of the honorable member for Port Chalmers might be accepted, to reduce the vote by a lump sum. He hoped the Government would see their way to foster the Cadet corps, and keep up a military spirit in the youth of the country.

Major ATKINSON was sure honorable members would do an injustice and fail in their object if they attempted to reduce the vote item by item. The first item which was selected for reduction showed this, because there were other items before it which could just as well be struck off. If the vote for the Armourer in Wellington were struck off, the Government would absolutely be obliged to put it on again. There were 4,000 stand of arms in the Wellington store now, and there must be somebody to take care of them. The only large item that could be struck off this year was that for prize-firing, because seven months of the Volunteer year had already passed, and the men who would have to be dismissed must receive three months' notice. He had gone to the utmost extent when he said the Government would agree to take off the £3,000 for prize-firing, and to reduce the other items by £1,000.

Mr. LARNACH wanted to know if the Committee was to understand that the Government would disregard a vote of the Committee.

Major ATKINSON had said nothing of the kind. The Government were responsible for the safe custody of 4,000 stand of arms in Wellington, and must provide for that safe custody, or the House would very soon find fault with them.

Mr. WASON said the question now was not with regard to the Armourer at Wellington, but in regard to reducing the salary of the Storekeeper, who was also Commanding Officer, by £50.

Major ATKINSON said that if the Committee went through the estimates item by item, he would be called upon suddenly to declare whether this or that man could or could not be dispensed with, although this department was not in his charge, and he might unconsciously be doing a great injustice. The Committee should throw

the responsibility on the Government, by reducing the whole vote by a lump sum, and leaving it to the Government to say where reductions should be made.

Mr. W. WOOD thought the Committee would solve the difficulty best by accepting the proposal of the Government, and reducing the whole amount by £4,000. If they went item by item, they could only strike off £2,070, because, as had been pointed out, seven months of the Volunteer year had already elapsed, and the persons dismissed must have three months' notice.

Mr. REYNOLDS thought, if the Government would give an assurance that, in striking off £4,000, it was their intention to do away with the votes for the Middle Island and Wellington, the Committee might agree to the proposition.

Major ATKINSON could not agree to strike off either the Wellington vote or the whole vote for the Middle Island.

Mr. PEAROE said it was to be regretted that the Defence Minister was not present; still, the Premier should have spoken out, and said what Government really meant. If they did not want Volunteers, let them say so, and the Volunteers would soon disappear. A considerable reduction was made in the Volunteer estimates last year, and now it was proposed to take off another £4,000. He understood the intention was to take away the prizes, the commanding officers, the armourers, and other items; they might just as well do away with the Volunteers altogether. If the Government had brought down these estimates reduced as far as they could, they should abide by them.

Major ATKINSON said the honorable member was treating him rather unfairly. He had said the Government wished to encourage the Volunteers, and they could still do that, although they might reduce the amount of these estimates. He did not believe that yearly prize-firing was so essential to keeping up the efficiency of the Volunteers as the honorable gentleman appeared to think, and, in the present state of the finances, it could very well be dispensed with this year. He said also, distinctly, that several commanding officers could be done away with, and still the force be made more efficient than it was now.

Mr. REES thought some commanding officers could be done away with; but he doubted whether doing away with prize-firing would tend to the efficiency of the Volunteers. The *esprit de corps* must be maintained, and nothing did that so well as the hope of winning prizes, of visiting other places, and meeting other Volunteers.

Mr. STAFFORD said that for many years he had seen discussions upon these items, but he had never seen any satisfactory result. He almost thought, looking at the position the Volunteers had got to in the Middle Island, that with the exception of the Artillery corps, which ought to be encouraged, they were a useless expense and a great sham. He thought that at the principal harbours there ought to be even more encouragement than had yet been given to the promotion of Artillery corps, who should be drilled out regularly for practice on fixed days,

with a fair remuneration for each day's attendance. He also agreed that encouragement should be given for drilling cadets in schools. He thought the proper course for the Committee to take would be to signify their desire to see the total vote for Volunteers largely reduced, and leave to the Government the responsibility of saying how that could be most thoroughly carried out. He was prepared to support a reduction of the estimate for the Middle Island, and also of the total estimate, but he objected altogether to picking out particular items.

Mr. LARNACH thought that they would be assisting the Government if they resolved to reduce the amount by a lump sum. After looking over the items, he believed the amount could be reduced by £10,000. He would move that the total vote be reduced by £6,553 12s. 6d.

Major ATKINSON hoped that the Committee would consider before they made such a large reduction, as it would necessitate the immediate dismissal of a large number of men.

Mr. WASON moved, That the item, "Auckland—Storekeeper, £300," be reduced by £150.

Mr. Wason's motion negatived.

Question put, "That the item 'Storekeeper, Wellington,' be reduced by £50;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	21
Majority against	...	...	...	...	4

AYES.

Mr. De Lautour,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimack,
Mr. Gibbs,	Mr. Stevens,
Mr. Hialop,	Mr. Swanson,
Mr. Joyce,	Mr. Takamcena,
Mr. Larnach,	Mr. W. Wood.
Mr. Lusk,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Rees,
Mr. Murray,	Mr. Reynolds.

NOES.

Mr. Andrew,	Mr. Rolleston,
Major Atkinson,	Mr. Rowe,
Mr. Bowen,	Mr. Stafford,
Mr. Fitzroy,	Mr. Tawiti,
Mr. Henry,	Mr. Teschemaker,
Mr. Lumsden,	Mr. Wason,
Mr. G. McLean,	Mr. Whitaker,
Mr. Moorhouse,	Mr. Woolcock.
Mr. Nabe,	<i>Tellers.</i>
Mr. Pearce,	Mr. Hunter,
Mr. Richardson,	Mr. Pyke.

The amendment was consequently negatived.

Mr. MONTGOMERY said that to abolish the prize-firing would be injudicious, but there would still be little difficulty in reducing the total vote by £5,000. He hoped the Premier would give a distinct expression of opinion that the cost of the Volunteers in the Middle Island would be considerably reduced, if they could not be altogether abolished. They were, for all purposes of defence, a complete sham.

Major ATKINSON said that to abolish the Middle Island Volunteers altogether would be to discharge a large number of drill instructors at a moment's notice, and he understood it to be the wish of the Committee that that should not be done. £1,000 was the furthest limit of the reductions that could be made, unless the House decided that the prize-firing should be abolished. His own opinion was that it would be sufficient to have shooting competitions in alternate years. With a view to test the feeling of the Committee, he would propose that the total vote be reduced by £4,000. That would, of course, include the £1,000 which he could reduce, and the £3,000 for prize-firing.

Mr. REYNOLDS would oppose any reduction being made, if the Volunteer force was to be kept up in Wellington, where it was as unnecessary as it was in Dunedin.

Mr. SHEEHAN objected to the item, "Officer Commanding, Wellington, £300," as it was altogether unnecessary. He would like the Premier to say that that would be one of the reductions that would be made.

Major ATKINSON said the Government would be willing to accept a reduction of £3,000 in the vote for prize-firing, and would make a further reduction of £1,000 in the salaries of commanding officers.

Mr. SHRIMSKI moved, That the vote be reduced by £3,000.

Question put, "That the vote be reduced by £3,000;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	25
Majority against	...	...	...	...	15

AYES.

Mr. Fitzroy,	Mr. Wason,
Mr. Gibbs,	Mr. W. Wood.
Mr. Lumeden,	
Mr. Reynolds,	<i>Tellers.</i>
Mr. Stafford,	Mr. Larnach,
Mr. Teschemaker,	Mr. Shrimski.

NOES.

Mr. Andrew,	Mr. Rees,
Major Atkinson,	Mr. Richardson,
Mr. Bowen,	Mr. Rolleston,
Mr. De Lautour,	Mr. Rowe,
Mr. Fisher,	Mr. Sheehan,
Mr. Henry,	Mr. Stevens,
Mr. Hunter,	Mr. Swanson,
Mr. Johnston,	Mr. Tawiti,
Mr. Joyce,	Mr. Whitaker,
Mr. Montgomery,	Mr. Woolcock.
Mr. Murray,	<i>Tellers.</i>
Mr. Nahe,	Mr. Moorhouse,
Mr. Pearce,	Mr. Pyke.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. O. Brown,	Mr. Manders,
Sir R. Douglas,	Mr. Baigent,
Sir G. Grey,	Mr. Carrington,
Mr. Reid,	Mr. Brandon,
Mr. Tribe,	Mr. Tole,
Mr. Wakefield.	Mr. Kelly,

The amendment was consequently negatived.

Mr. SWANSON moved, That the vote be reduced by £1,000.

Major ATKINSON said that the Government would agree to reduce the vote by £1,000.

Mr. REYNOLDS hoped the Premier would indicate how the reduction of £1,000 would be effected. He would not be disposed to strike off a penny from the Volunteers in the Middle Island. If they were to play at soldiers in the North Island, he did not see why they should not play at soldiers in the South Island.

Major ATKINSON understood that the vote would indicate a reduction both in the North and South, wherever it could be made without spoiling the efficiency of the service.

Vote reduced by £1,000.

Mr. SHEEHAN moved, That the vote be further reduced by the sum of £20. He proposed that, to give the Committee an opportunity to indicate whether the item for the Officer Commanding the Cavalry in Waikato, £300, should be struck out.

Major ATKINSON would take the vote upon this proposition as indicating the wish of the Committee with respect to the item for the Officer Commanding the Cavalry in Waikato, as far as it was unexpended.

Mr. MOORHOUSE said there was nothing before the Committee as to the qualification of the officer, or the necessity for such an appointment, or the reverse. It might be that this officer's services would be worth more than £300 a year. He objected to the reduction being made without further evidence.

Mr. SHEEHAN said this was a new office, and was not a question of reduction at all. The officer did not appear on the estimates last year.

Major ATKINSON hoped the honorable member would not refuse to carry this item. He was informed that the Defence Minister took great pains to ascertain how an efficient Volunteer Cavalry Corps could be got up in the Waikato, and he selected this gentleman, who was well known to the members of the Committee, and in whom the settlers of the district had great confidence, the object being to reduce the Armed Constabulary and yet have the Waikato in a satisfactory state.

Mr. GIBBS would vote against the proposed reduction, because he thought the Government knew much more of the necessity for such an officer than any other members of the Committee could. He would, however, like to see the Volunteers in the Middle Island done away with, because volunteering there was a mere sham.

Mr. REES hoped the Committee would support the motion of the honorable member for Rodney. The gentleman who had been appointed captain of this troop of cavalry had always supported the Government in the House, and it was wrong that such an appointment should be made. A brother of the same gentleman had been made Resident Magistrate in the district.

Mr. REYNOLDS thought it was very wrong on the part of the Government to foist this gentleman on the colony with a salary of £300 a year. He was a member of the House last session, and

consistently supported the Government. He might at any time throw up this appointment, come into Parliament again, and then retire when he pleased upon this appointment.

Mr. MURRAY would like to know why the Government made such a distinction between the salaries of Captain Jackson and Captain Runciman. The latter officer had been longer in the service, was very much respected, and yet he got a smaller salary.

Motion for the reduction of the salary by £20 agreed to.

Mr. MONTGOMERY moved, That the vote be further reduced by £20. He intended this reduction to intimate the wish of the Committee that the vote of the Wellington Volunteers, and for the Volunteers in the Middle Island, should be reduced as far as possible at present, and that after April next no further engagements be made.

Question put, "That the vote be reduced by £20;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	19

Majority against 1

AYES.

Mr. De Lautour,
Mr. Fisher,
Mr. Gibbs,
Mr. Hislop,
Mr. Joyce,
Mr. Larnach,
Mr. Lumsden,
Mr. Lusk,
Mr. Murray,
Mr. Reynolds,

Mr. Sheehan,
Mr. Shrimski,
Mr. Stafford,
Mr. Swanson,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Montgomery,
Mr. Rees.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. Henry,
Mr. Johnston,
Captain Kenny,
Mr. G. McLean,
Mr. Moorhouse,
Mr. Nahe,
Mr. Pearce,

Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Stevens,
Mr. Tawiti,
Mr. Wason,
Mr. Whitaker.

Tellers.

Mr. Hunter,
Mr. Pyke.

The motion was consequently negatived.

Item as reduced, £23,533 12s. 6d., agreed to.

Armed Constabulary, £70,056 17s. 6d., agreed to.

Contingent Defence and Liabilities, £10,000.

Mr. ANDREW would like to know why this item appeared in this year's estimates and did not appear in last year's.

Major ATKINSON said that, although he was in doubt for a moment, the vote was clear enough. It was for liabilities and for Contingent Defence.

Item, £10,000, agreed to.

Mr. REES moved, That the Chairman report progress.

Question put, "That the Chairman do leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	23

Majority against 9

AYES.

Mr. Andrew,
Mr. Fisher,
Mr. Hislop,
Mr. Joyce,
Mr. Larnach,
Mr. Lusk,
Mr. Montgomery,
Mr. Murray,

Mr. Nahe,
Mr. Reynolds,
Mr. Swanson,
Mr. W. Wood.

Tellers.

Mr. Rees,
Mr. Sheehan.

NOES.

Major Atkinson,
Mr. Bowen,
Mr. De Lautour,
Mr. Fitzroy,
Mr. Henry,
Mr. Hunter,
Mr. Johnston,
Captain Kenny,
Mr. Lumsden,
Mr. G. McLean,
Mr. Moorhouse,
Mr. Pearce,

Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Stevens,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Gibbs,
Mr. Pyke.

The motion was consequently negatived.

CLASS VIII.—PUBLIC DOMAINS AND BUILDINGS.

Government Domains, £1,241 4s.

Mr. MURRAY moved that the vote be reduced by £291 4s.

Amendment negatived.

Item, Government Domains, £1,241 4s., agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at half-past three o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 18th October, 1876.

Second Readings—Silver Ores—Ellesmere and Forsyth Reclamation Bill—Castlepoint Harbour Board Bill—Wanganui Harbour Board Bill—Foxton Harbour Board Bill—Counties Bill—Riverton Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

SECOND READINGS.

The Napier Harbour Board Bill, the Thames Harbour Board Bill, the Waitara Harbour Board Bill.

SILVER ORES.

The Hon. Mr. MANTELL, in moving the motion standing in his name, said he thought it important that every publicity should be given to the analysis of ores such as those of silver. The working of ores so valuable as those of silver, or at least which were so valuable until the recent de-

preciation had taken place, was generally taken in hand by companies; and as the Government maintained a laboratory there for the investigation of all these things, he thought it was well that the public, which bore the cost of the laboratory, should be placed early in the possession of the results of any analysis made, in order that they might not be led away by the too sanguine views of the promoters of companies. He was well aware that very varying results had been obtained by chemists in different places from analyses of what were reported to be the same ores from a certain silver mine. It must be borne in mind that an analysis performed here, or anywhere else, was simply an analysis of a specimen, and that specimen might or might not represent a fair average of the lode from which it was taken. In the Colonial Laboratory, as he knew from his own observation, every care was taken that the analysis should be of a fair average specimen; and the greatest care was also taken in analyses that the results should be examined and re-examined, in order that they might be as accurate as possible. Therefore he had no doubt whatever that these analyses then laid on the table would be found to be thoroughly trustworthy, as far as they went. It should be also borne in mind that all analyses of ores—no matter how large a quantity was placed in the hands of the analyst—were necessarily made from a very small portion of that quantity. That small portion was taken in such a manner that while the crushed ore was passing through the crushing apparatus, a certain quantity of it was taken impartially, and that was always held to represent the average of all. It did not matter, so long as the specimen was an average, whether it consisted of a ton or a pound weight. He was sorry that the different results of the analyses of these ores had caused a considerable amount of newspaper abuse to be lavished on the officers of the Colonial Laboratory, and he was sure never was abuse so thoroughly undeserved. In a quiet, unostentatious way, that department did honest, efficient work for the good of the colony. They also did work of far greater importance than the analysis of silver ore or the gold-bearing properties of quartz. As the Colonial Secretary must be perfectly aware, analyses in cases of suspected poison were intrusted with the greatest confidence to the Colonial Laboratory, and no doubt was ever entertained as to the results. It was within his own knowledge that the results arrived at in the Laboratory, and the discoveries made by the chief operator—Mr. Skeg—had been of sufficient importance to alter the views of leading chemists at Home, and leading metallurgists; and they were always regarded with the greatest confidence by Dr. Percy and many other men. He hoped, therefore, that honorable members would at once divest their minds of any prejudice created by newspaper reports respecting the competency of that department. He did not believe that there was a more competent department under the Government.

Motion made, and question proposed, "That there be laid upon the table copies of all analyses

of silver ores made at the Colonial Laboratory since its institution."—(*Hon. Mr. Mantell.*)

* The Hon. Mr. BONAR had great pleasure in supporting the motion of the Hon. Mr. Mantell, and in doing so he might say that he fully recognized, with that honorable gentleman, the very great value of the Laboratory to the colony, and particularly to the mining districts. With reference to the discrepancies that appeared to exist between the analyses of what was supposed to be the same ore, he might say—as had been truly stated by the Hon. Mr. Mantell—that the quantities which had been analyzed in the laboratory here were very inconsiderable, and that might to some extent account for the very considerable differences between the analyses made here and elsewhere. The quantity sent here for analysis was perhaps about a couple of pounds weight, whereas the samples sent to other places amounted to something like 5 cwt. It was quite possible that the analysis in one case was as correct as in the other, and that the discrepancy might possibly have arisen from the difference of the ores submitted. He did not know whether the honorable gentleman would have any objection to lay all the analyses of these ores on the table of the Council, so that those interested in what promised to be an important enterprise might not be placed in a worse position by what might be termed the more unfavourable analyses only being submitted to the Council.

The Hon. Mr. MANTELL asked if the honorable gentleman was in possession of an authenticated copy of the other analyses.

* The Hon. Mr. BONAR had no copy in his possession, but he thought an exact copy of the analysis made by Mr. Kirkland was sent down from Melbourne and forwarded to the Colonial Museum. He did not know whether it was properly certified or attested; but he apprehended there was very little doubt about its being genuine.

* The Hon. Dr. POLLEN thought the Council was indebted to the honorable gentleman for suggesting that this information should be put into such a shape that it might be communicated to the public generally. He thought the institution referred to hardly required defence in that place; but if an opinion was needed as to its usefulness and the services it had rendered to the colony, there was no one who, from the active interest he took in the institution, could speak with more authority than the Hon. Mr. Mantell. All he need say was that all the Hon. Mr. Mantell had stated in reference to this institution had the complete concurrence of himself and of the Government of which he was a member.

The Hon. Mr. MANTELL thought it would be of advantage that the analysis of which the Hon. Mr. Bonar spoke should be laid on the table upon another motion. He had never himself seen an authenticated copy of that analysis, nor did he know where it could be obtained. That there was some mistake about the analysis he had but very little doubt. The result of 735 ounces to the ton of galena was one perfectly unprecedented. He feared that the result of that analysis had not been communicated in a shape which

gave a correct impression of what results Mr. Kirkland might have arrived at. Mr. Kirkland might have had one from which he obtained 735 ounces to the ton; but in that case the ore could not have been galena. There might have been sulphides of silver or black sulphides, but he did not think that that would have escaped an able analyst like Mr. Kirkland. All he wanted the Council and the public to understand was, that they might have full confidence in the analyses conducted by the Colonial Laboratory of the specimens they received. Those specimens were not collected with carelessness. The first specimen from this lode was analyzed as far as back as 1869, and on that occasion yielded eight ounces to the ton. The first specimen from the later discovery was brought by the Assistant Geologist from the place itself. After the analysis was completed, rumours of far larger results arrived at by the Melbourne authorities reached here, and he communicated with the Hon. Mr. Bonar asking him to send some thoroughly genuine specimens, exactly identical with those sent to Melbourne. From the honorable gentleman specimens were received which were analyzed with the same results. Since then he thought they had received other specimens, but unfortunately the analyses always yielded the same results. So far from having any objection to the analysis of Mr. Kirkland being laid on the table, he would be very glad to see it.

The Hon. Mr. BONAR said he would endeavour to procure a copy of the analysis.

Motion agreed to.

ELLESMERE AND FORSYTH RECLAMATION BILL.

* The Hon. Mr. HALL, in moving the second reading of this Bill, said he trusted honorable members would observe that, although this Bill reached the Council at the same time as a number of Bills relating to Harbour Boards, it did not propose to constitute a Harbour Trust. The tract of country with which this Bill proposed to deal was on the southern side of Banks Peninsula and also Lake Ellesmere, situated at the junction of Banks Peninsula with the Canterbury Plains. This portion of Banks Peninsula was divided into two road districts, the Little River Road District and the Akaroa and Wainui Road District, and it also comprised the Borough of Akaroa. Those districts contained 84,000 acres of unsold land, and they consisted, as honorable members who knew Banks Peninsula would be aware, almost entirely of hill country. There were valleys in it, of which one was large and important. The bulk of the land—in fact nearly the whole of the unsold land—consisted of hills and chiefly of mountain tops. The Bill also proposed to deal with two lakes. The largest—Ellesmere—comprised no less than 70,000 acres. It was very shallow, was shut off from the sea by a boulder-bank formed by travelling shingle from the Ninety-Mile Beach, and its outlet was often closed. When the lake had been closed for a considerable time, the waters in it accumulated to such an extent that at last, with very little assistance, they forced their way through the

boulder-bank, and cleared out a deep channel. The lake was then reduced to a low level, and there was uncovered a large quantity of valuable land. The difference between the ordinary high level and the ordinary low level comprised about 15,000 acres of land. The attention of people in Canterbury had for a long time been attracted to the possibility of keeping open the outlet, and thereby permanently reducing the level of the lake. It was estimated that, if a moderate permanent reduction in the level could be secured, 15,000 acres of land would be reclaimed; and it was land which would readily sell at more than £2 an acre. This land, or a greater part of it, had for some time past been made a reserve by the Canterbury Government, with a view to its being made applicable to this purpose. So much for Lake Ellesmere. Lake Forsyth, which was also referred to in this Bill, was a smaller lake at the bottom of the Little River Valley. The level of the water in that lake was also raised and lowered in the same manner as Lake Ellesmere. Occasionally the amount of shingle driven up to the mouth of the lake closed the outlet. The waters of the lake then rose over the road running along its border, which was the only coach road between Christchurch and Akaroa, and which was placed under water sometimes to a depth of three feet. The country affected by the proposed railway was, as he had said before, chiefly the southern slopes of Banks Peninsula. A large proportion of it was covered with timber of excellent quality, including totara, matai, and other pines. The best of the timber was at Little River, a very fine valley about twenty miles from Christchurch; but, although so near, the difficulty at present of transporting timber from that locality to Christchurch was so great that practically there was no trade with the latter place. The timber had first to be carted to the head of Lake Forsyth, then to be boated down Lake Forsyth, then to be carted over to Lake Ellesmere, then to be boated across Lake Ellesmere, and then to be carted to Christchurch. Practically, the result of that was, that although they had such a quantity of fine timber almost at their doors, they were not able to avail themselves of it, but had to import timber from other provinces and other countries. There was a considerable quantity of land covered by this timber, which was of good quality, and, when cleared, would support a considerable population. The character of the country was such, that if Lake Ellesmere were lowered, as proposed, and the railway could, instead of winding round the present edge of the lake, follow a comparatively straight course, which would not be difficult, as a great part of the lake was not more than five or six feet in depth, the railway could be carried as far as the head of the Little River Valley, between twenty and twenty-three miles from Christchurch, with very little difficulty. It would be almost a level road. From thence to Akaroa the work would be difficult; but if it were carried at first as far as the head of Little River, it would open out a considerable amount of country, and bring into the market the timber which he had referred to, and would practically make the journey to Akaroa a very easy and a comparatively

short one. The passenger traffic to Akaroa was already considerable. Any honorable member who had been at that place would know that it was, if not the finest, at any rate one of the finest harbours in New Zealand. It was comparatively landlocked, of large size, with abundance of deep water. He did not say its accessibility by railway to the Plains was now a matter of necessity; but if convenient access were furnished to it, it would afford great facility to the trade of a very important part of the country. He thought there was every prospect of a large passenger traffic, for Akaroa was a summer resort of a considerable number of people of Christchurch, and it would become much more popular if it were more accessible. He did not pretend they ought to make a railway for the purpose of affording Christchurch people access to a seaside resort; but they might fairly consider whether, if the railway were made, the passenger traffic would not be so considerable as to render it remunerative. There were already two coaches on the road, although the journey was now a difficult and tedious one. Those were the facts of the case. The Bill proposed to deal with them in this manner: It constituted a Trust, to be called "The Ellesmere and Forsyth Reclamation and Akaroa Railway Trust," to consist of ten trustees—two to be elected by the Borough of Akaroa, two each by the Road Boards of Wainui and Little River Road Districts, and two each by the Road Boards of two other districts which bordered on the western shores of Lake Ellesmere. It had been considered that, as they were proposing to deal with the drainage of the lake, it was only fair to give all districts which might be affected by that drainage a voice in its management. The Trust was authorized to appoint a chairman, and to appoint officers and surveyors. Then, the Bill proposed that, of the first 50,000 acres of land in those two road districts that were sold, half of the proceeds were to be paid into the bank to a separate account to the credit of the Colonial Treasurer, for the purposes of this Trust. The Bill gave no authority to enter upon the construction of the railway, but the Colonial Treasurer was authorized by it to pay to the Trust out of that sum an amount not exceeding £8,000, to be employed by them in having the whole case thoroughly investigated from an engineering point of view—to have a survey made of the lakes, and engineering investigations carried on as to whether the outlet of Lake Ellesmere could not be permanently kept open and 15,000 acres of land thereby reclaimed; also in having a survey made for the best line for a railway to Little River and on to Akaroa, and the probable cost. When that information had been collected, the plans were to be transmitted to the Governor, and by him to be laid before Parliament; and if upon this information being considered by Parliament, it was found to be satisfactory, if it was found that there was a reasonable prospect of the work being carried out and of the funds being sufficient—then and not till then parliamentary authority would be asked for the disbursement of the money in proceeding with the work. The Bill restricted the time

within which these inquiries must be completed to two years. It stated that, unless some further authority were given by Parliament, the powers granted in the Bill would come to an end in December, 1878. That was an outline of the measure. It contained, as honorable members would be glad to hear, no borrowing powers whatever. It merely proposed to appropriate, for the improvement of a particular part of the country, the proceeds of the sale of the waste lands which yet remained unsold in that particular district. The inhabitants of that part of the country thought they had a fair claim for consideration, because they were so situated that they had not yet received any benefit whatever from the expenditure of money upon railways which had been constructed out of the colonial funds. Of course, honorable members who knew Banks Peninsula must be aware that it was to some extent cut off from the rest of the province, and the formation of railways which had taken place in Canterbury had not benefited them in any degree, although, as the cost was charged upon the Consolidated Fund, they had to bear their share of the cost. Perhaps honorable members might say that the best way of dealing with a case of that kind was for the people of the district to bring their case under the consideration of the Government, and to ask that railway communication might be extended to Banks Peninsula by the Government. But the Council, he thought, would give them credit for not, under the existing position of the colonial finances, coming to the Government with such a demand as that, but for rather relying upon themselves, and endeavouring out of their own resources to apply a remedy, the want of which they felt grievously. Honorable gentlemen would remember that the Bill did not propose to put apart the whole of the proceeds of any particular block of waste land, and for this reason: certain charges were proposed by the legislation of this session to be placed upon the Land Fund; and therefore, when the ordinary disposition of the proceeds of any particular block of land was changed, to that extent at any rate the colony was deprived of the means of bearing charges such as education, provincial debts, and a variety of others which it was proposed to charge on the Land Fund. But in his case only one-half of the proceeds was to be diverted, and the other half in the case of Canterbury would be amply sufficient to bear the whole of the charges which were proposed to be placed upon it. The only persons who would perhaps have a right to feel aggrieved at this Bill were those living in other portions of the Province of Canterbury, because, no doubt, to the extent to which this Bill set apart a portion of the land sales for a particular purpose, to that extent their surplus revenue would be diminished. That was quite true. But there were no complaints from representatives of other portions of the Province of Canterbury. They recognized the fairness of the claim which was now made by the inhabitants of Banks Peninsula to share in the advantages of railway communication; and as they were satisfied, he did not see that anybody else had any right to complain. He hoped he had satisfied the Council

that this was a Bill of a different character altogether from many that were now before them. It involved no borrowing powers, but simply asked that a portion of the proceeds of the land sales in a particular district should be set apart for carrying out a work of very great importance to that district—a work which would enable the residents in Canterbury to utilize the resources of the district, to avail themselves of the valuable timber which existed there, and to bring the fine harbour of Akaroa into regular communication with the rest of the province. He begged to move that the Bill be read a second time.

The Hon. Colonel WHITMORE said that this Bill had come up with the Harbour Board Bills, but he really did not see what it had in common with them. It was a proposal submitted to their approval more or less fair, and of a kind upon which opinions might be *pro* and *con.*, but which it would be absurd to apply the same reasoning and the same treatment to as to the Harbour Board Bills. He did not pretend to be engineer enough to say—and he doubted very much whether any investigation they would be able to make would enable them to ascertain—whether this was a practical proposal or not. Since he had been in the colony, he had heard the suggestion that this Lake Ellesmere should be drained argued over and over again. Sometimes persons would be found to be very sanguine about the scheme, and sometimes others had said that it was an impracticable proposal. However, the amount that was required to ascertain this—£3,000—seemed to him to be a sum so reasonable in itself that he would feel very great hesitation in objecting to it. He would therefore support the Bill. It was practically a Bill for a grant of £3,000 to ascertain a certain point. With reference to the railway and the other schemes that were to follow upon ascertaining this information, they would in a few years' time have an opportunity of considering those matters, and he would hold himself free from making any pledges, as it would depend on a great many other considerations. The only remark he had to make with reference to what the honorable gentleman had said was with regard to that portion of his argument in which he stated that the inhabitants of this part of the country in question had a very fair claim, because they had no advantage from the present railway system. That was a complaint, he was sorry to say, a very large portion of the colony had. A great number of persons in New Zealand never could, in the natural order of things, hope to have the smallest benefit from the Public Works and Immigration policy, except that which they could appreciate in the form of the tax-gatherer. And though Canterbury was so fortunately situated that its grievance was that everybody had not got a railway to his own door, he had to assure the honorable gentleman that in a great part of the colony there were greater reasons to complain, and that the bulk of the people paid for advantages in this respect enjoyed only by a few. The honorable gentleman's remarks also suggested to him this consideration: that in time to come it would be a very fair question to argue whether, in any pro-

posals for railways, they should not consider them in the nature of an infraction of private rights, and treat Railway Bills as private Bills, at all events whenever they trenched upon the Land Fund. Because it was evident that the Land Fund, under the present proposals, as far as they had been sketched out by the honorable gentleman, would practically be denuded of certain revenue which the rest of the provincial district would otherwise have received. And until they were satisfied, not by assertion but by inquiry and verification, that the district was prepared to submit to that sacrifice, he did not think they were to assume from the assurance even of any honorable gentleman—which, of course, they must pay very great attention to, and be willing to consider as almost positive fact—that the inhabitants of the district were prepared to make such a sacrifice. They had not at that moment got any constitutional mode of ascertaining what the views of the whole of the persons in the provincial district were, and it was a consideration which must strike every honorable gentleman that, as soon as they endowed the provincial districts with the surplus of their Land Funds, they possessed a vested interest which could not be appropriated in other ways without doing a private wrong to every individual in those districts. This Bill he could not consider as coming under the category of a Harbour Board Bill, and he would have great satisfaction in supporting it.

* The Hon. Colonel BRETT said his honorable friend Mr. Hall had given a very glowing description of the advantages which would result from the passing of this Bill. He had, however, omitted to state some of the arguments against it. Three years ago a similar measure to this, a Bill to provide for the draining of Lake Ellesmere, was before the Council. On that occasion he (Colonel Brett) had pointed out the injustices which that would entail on some persons, and suggested that the Bill should go before a Select Committee. It was referred to a Committee, which, after carefully investigating the subject, reported unfavourably, and the Bill was thrown out. That occurred three years ago, when his honorable friend Mr. Hall was in England. Now the honorable gentleman in his remarks had barely alluded to the real objection to the drainage of Lake Ellesmere. It was true, he believed, that this railway could not be carried out unless that lake were drained. But what was to be done in reference to the farmers who had purchased land along the borders of the lake with a water frontage? Were they going to break faith with those people? It would be just as great an act of injustice as the diverting of a river, which would be contrary to law. He presumed that if the water frontage were taken away from these people, they would have a case against the Government for heavy damages, if compensation were not granted. Proper notice had not been given of this Bill. He had just seen it for the first time on his desk, and the proposal had not been sufficiently ventilated. Of course, the Bill had gone through the other House, but that he overlooked. There had been no petitions in favour of this Bill.

The Hon. Mr. HALL said a petition had been presented to the House of Representatives.

* The Hon. Colonel BRETT remarked that at any rate no petitions had been received by the Council. He had no objection whatever to the railway to Akaroa; but he thought they should not benefit one section of the province by doing an injustice to another. He considered that, if the lake were drained, a gross injustice would be done to all the people at Lake Ellesmere, which was one of the most populous districts in the whole of New Zealand. The lake was a beautiful sheet of water, abounding in game and fish, large quantities of the latter being supplied to the markets of Christchurch. If it were drained, the bed of the river was composed of such fine soil that a north-wester of two or three days would blow away the whole of the loose sand, and from time to time the lake would be nothing but a large hole, and the earth or soil would be perfectly worthless. The evidence taken before the Select Committee three years ago showed that that was the case. He had no objection to the railway; but they knew very well that the Government would not entertain any proposal for new railways until all the present lines were finished. Therefore he hoped that his honorable friend would not press the Bill just now. Let it be brought forward next year, and let the inhabitants of the Lake Ellesmere district have a voice in the matter, for at present they had not been consulted. The Council ought not to do an injustice to the farmers who resided on the borders of the lake, and were in the habit of getting supplies of fish from it. The lake was also one of the few sporting places in Canterbury. He did not wish to oppose the Bill, but desired that it should be postponed for the reasons he had given.

The Hon. Captain FRASER supposed that it was not intended to do more than lower Lake Ellesmere to a certain extent. It was not intended, he presumed, to drain the lake, because that would be an interference with the rights of the Maoris over fishing-grounds which were given at the Treaty of Waitangi.

* The Hon. Mr. ACLAND would like to make one or two remarks in answer to the observations of the Hon. Colonel Brett. Honorable members were not to suppose that this lake was a beautiful sheet of water, or clearly defined, so that the farmers and those living near it could, by walking a few yards, take their horses to water in the morning or in the evening. He did not know much about the lake, but had been across it when out, and knew that it used to be a question, asked by travellers in the old days as to whether the lake was in or out; and, if it had been recently emptied, either by the Maoris opening a passage or by natural means, the traveller rode across a great part of the bed of the lake itself. Consequently there could be no rights on the part of the residents like those existing on the side of a river, because the bed of the lake varied considerably—he thought as much as two or three miles; and when the lake was full, the water might even rise over a portion of the purchased lands. In fact, he thought it would in a great

measure be an advantage to the people living on the edge of the lake that the water should be drained off. With regard to the interests of sportsmen, he did not think their rights would be entirely destroyed, because he did not suppose it would be possible that the lake would be so thoroughly drained as to be completely dry. There would always be sufficient water to maintain the game, and there were streams running through the lake which would furnish sport. It was true there were large quantities of flounders sent into the Christchurch market from the lake; but, as he said before, it could not be intended to completely drain the lake. Perhaps the Hon. Mr. Hall, in his reply, would inform them what the intention was in this respect. He did not think it would be possible to keep the whole of the land dry.

* The Hon. Dr. POLLEN said his honorable friend, in moving the second reading of this Bill, had stated with great frankness, as well the advantages that were hoped to be derived from the prosecution of the work, as the objections which might possibly be urged to it. Amongst those objections, the strongest to his mind was that it abstracted from the revenue of the Province of Canterbury so large a sum as £250,000. Now there was no province in the colony that had a larger margin than the Province of Canterbury; but he thought that it was quite possible to exhaust even that. If they went on, as it appeared they would be asked to go on, continually encroaching upon the landed estate, for the purpose of making endowments for this and for that and for the other, even the large revenue of the Province of Canterbury would not suffice to meet the charges which were likely to be imposed upon it for its contributions to the public debt, for the Road Boards and other local bodies, and for the maintenance of those other institutions that were made a charge upon it. That was, to his mind, a very serious objection. Another objection which had been taken to the Bill was that they did not know to what extent a Bill of this kind would affect the private interests of individuals. No evidence had been taken by the Select Committee on the subject. His honorable friend Mr. Hall said there had been a petition presented to Parliament in relation to the matter, but he thought that was hardly sufficient ground for a Legislative Assembly to go upon when making laws which affected the private interests of people. They should not make such laws without having advised the persons whose interests would be affected by the possible operation of the law. He would not oppose the second reading of the Bill; but he thought the points he had mentioned should be considered before any conclusion was arrived at regarding the measure.

* The Hon. Mr. STOKES understood that the question the Council had to consider was whether the sum of £3,000 should be voted for the purpose of surveying Lake Ellesmere and its vicinity, with the view of ascertaining whether it would be advisable to drain the lake; and that after that information had been obtained it would be laid before Parliament, when further powers would be asked for. Therefore he did not think

that the Council would commit itself too much in agreeing to pass the Bill. The amount could not exceed £3,000, and it was probable that the information to be obtained would be fully worth the money.

* The Hon. Mr. HALL, in reply, said it had been stated by one or two honorable gentlemen that there had been no evidence before the Council that the residents in the districts concerned were in favour of the proposal now before them, or that it had been brought forward with the general consent of gentlemen representing the Province of Canterbury. He had omitted to state that a petition had been presented to the other branch of the Legislature, of which he had a copy, in favour of the Bill, from inhabitants of Banks Peninsula, and places adjacent thereto. The petition was signed by 1,100 persons. He thought that would satisfy honorable gentlemen that the scheme was well known to the people affected, and favourably regarded by them. If honorable members would refer to the Canterbury newspapers, they would also find that the question had been discussed in that province; and therefore he thought that it would be admitted there had been plenty of notice of it. He understood that the Bill would go before the Waste Lands Committee, and the members of that Committee would have an opportunity of satisfying themselves as to whether or not the question had been brought under the notice of the persons interested. His honorable and gallant friend had said that the drainage of the lake would have an injurious effect upon land adjoining it; but his objections had been answered by the Hon. Mr. Acland, who pointed out that at the present time there was hardly any dry land in immediate contiguity to the lake at its low level. By opening the outlet, they could run off two or three miles of the water. The land between high and low watermark had been reserved by the Provincial Council. There was this complete answer to the objection: This Bill did not ask for any authority to carry out these works, nor for any power which might have the injurious effect suggested by his honorable friend. All that the Bill asked for was authority to make inquiry, and it provided that the information obtained by that inquiry should be laid before Parliament. The Hon. Mr. Acland had asked whether it was proposed to drain the lake altogether, but nobody imagined that would be practicable. All that could be done was to keep the outlet of the lake open. By that means they would be able to lay dry 15,000 out of the 70,000 acres of which the lake consisted. His honorable friend Dr. Pollen had contended that by this Bill they would abstract a large sum of money from the Province of Canterbury. All he could say with regard to that was, that as 80,000 acres of the best land in the two districts concerned had been sold, it would be very difficult to sell the remainder of the land, which was of inferior quality, or if it were sold it would be but slowly unless it was made more accessible by means of the railway. In reply to what had been said by the Hon. Mr. Stokes, he would read the 16th clause of the Bill, which provided that,—

"The Receiver of Land Revenue for the Province of Canterbury shall, out of the proceeds of the sale or disposal of the first fifty thousand acres of the waste lands of the Crown sold after the passing of this Act within the boundaries of the lands mentioned in the Second Schedule to this Act, pay one-half thereof into the bank at Christchurch where for the time being the Public Account is kept, to a special account to be called 'The Ellesmere and Forsyth Reclamation and Akaroa Railway Trust Account'; and the Colonial Treasurer may pay out of such account any sum or sums not exceeding in the whole three thousand pounds to the said Trust, for the expenses of surveys and managing the said Trust."

Other clauses went on to provide that the result of these surveys should be laid before the Government, who would then lay it before Parliament. He hoped he had been successful in removing the one or two objections which had been made to the Bill, and that the Bill would now be read a second time, in which case, of course, it would go before the Waste Lands Committee.

Bill read a second time.

CASTLEPOINT HARBOUR BOARD BILL.

* The Hon. Mr. HOLMES said that, in the absence of the Hon. Mr. Waterhouse, he had to move the second reading of this Bill. He regretted that the Hon. Mr. Waterhouse was not present, because that gentleman could have given a much better explanation than he could. The Bill was like some of those which had already passed their second reading. There was no borrowing power asked for or required, and the sole object of the Bill was to constitute a Board of Management for the harbour at Castlepoint, and to vest in the Board thirty-two acres of land now the property of the Government, on such terms and conditions as the Governor might think fit. The land was to be set aside for the purpose of facilitating the shipping and landing of goods. There could be no objection to the granting of this land, as it was of little or no use for other purposes. A settler in the neighbourhood could have taken up the land at the nominal upset price; but he had sufficient self-denial not to do so, because he felt that it was required for the uses of a Harbour Board, and should not be in the hands of a private individual. He moved the second reading of the Bill.

The Hon. Colonel WHITMORE said that the position of the matter was exactly as the honorable gentleman had described it, but he wished to know whether it was intended to make over the land in such a manner that the Harbour Board could hypothecate it as security for a loan, or sell it outright. The land might be dealt with by the Harbour Board in any manner they might think fit; and that was rather an indefinite way of describing the transaction. In Committee, he should endeavour to make it clear that that was not the intention of the Council. On other grounds, there could be no possible objection to the Bill. The demise of the Provincial Government had rendered it necessary that some body should be appointed to look after the harbour;

and the General Government having failed to provide the necessary machinery, it was desirable that the Legislature should supply the deficiency, though it should do so in the least objectionable form.

Bill read a second time.

WANGANUI HARBOUR BOARD BILL.

The Hon. Mr. J. JOHNSTON, in moving the second reading of this Bill, said he hoped the Council would not refuse to pass it, although it did contain some borrowing clauses. Any honorable members who were at all acquainted with Wanganui must recognize that there was no port in the colony where the services of a Harbour Board were more required. There was a bar at the mouth of the river, between the bar and the town there were a number of banks and shoals, and the channel constantly required to be kept free from snags. A signal-station was necessary at the entrance to mark the depth of water, and give direction to vessels coming into port; and there were many other matters requiring the careful surveillance of a Harbour Board. Wanganui was one of the most rapidly rising towns in the North Island, and was likely to become a place of great importance. Obstructions to the navigation of the river would therefore prove a great drawback. The headland at the entrance to the river was crumbling away, and he was informed that, if steps for the protection of the river were not promptly taken, the channel would be destroyed in two years. He hoped the Bill would be read a second time.

The Hon. Colonel WHITMORE said he had ascertained that it would satisfy all the immediate requirements of Wanganui if the machinery part of this Bill were passed. They had a sum of £9,000 in hand; and all that was required at present was the necessary provision for the removal of snags from the river, and the making of some small protective works at the point referred to by the Hon. Mr. Johnston. He was given to understand that unless the machinery part of the Bill were passed, great inconvenience and public injury would result. He should therefore be quite prepared to do what was required in that direction; but he was not prepared to give the Board power to borrow £50,000 for thirty-five years. He did not say that there might not be cases in which it would be quite justifiable to provide £50,000 out of the revenues of the country for the purpose of making a harbour; but that was quite outside of his contention in this instance. He contended that in such a case as this they would not be justified in giving either borrowing powers or grants of land. The Government would have an opportunity of considering this question during the year, and would no doubt next session inform the House what harbours they thought should be maintained by way of endowment or grants of money. The Council should be as careful of granting public lands as it would be of granting public money. There was no distinction between the two things. The Land Fund was liable to certain liabilities for previous debts for education, railway, and other purposes; and if a district could not pay, what

became of the liability? It fell, of course, upon the whole colony. The time was coming when the Land Fund would be all gone, and it was not their duty to hasten that period. There were harbours all over the colony which it might be to the interest of the colony to improve, just as it was to the interest of the English Government to execute certain works at particular harbours in the United Kingdom. They might be made available for the protection of shipping, and for the advantage of the colony generally. In such cases, it would be the duty of the Government to propose, and the duty of the Council to support, grants of public money, the burden, of course, falling upon the country as a whole. But while he said that, he was not prepared to support applications for endowments made upon the *ipse dixit* of persons who happened to reside in the neighbourhood of a harbour. Supposing they did not grant these endowments, how much worse would they be next year? No worse at all. They might be right in refusing the endowments; but supposing, on the other hand, they gave them away, and it turned out that those who asked for them had no ground for doing so, what would become of the land? Between that time and next year, every acre of it would be subject to burdens of some kind or other, and there would not be the slightest chance of it ever being returned to the colony again. Before they made any grants, either of land or money, they should wait for the Government to come down and say, "We, on colonial grounds, recommend either that land should be appropriated for this purpose or borrowing powers given." The only extent to which they should, under present circumstances, permit these Boards to borrow, was to the extent of their dues—that was to say, the net amount, after paying expenses incurred in keeping up the harbour. When making speculative works, they would require to have the opinions of high engineers. But the Council had no time—even if it was their province—to form an opinion on such subjects. Such a responsibility should be thrown upon the Government, who had professional knowledge at their disposal. In most of these cases, large borrowing powers were asked; but they were not even told what those powers were wanted for. The honorable gentleman who introduced this Bill did not tell them what those works were which would cost £50,000. The Hon. Mr. Hall told them that the best use they could put the land to was to hand it over as an endowment for Harbour Boards. Herein he recognized the sentiments of a gentleman who was accustomed to live in a country richly endowed with land, and having a considerable surplus from the land revenue. However, he thought it was to their interest to save as much of the land revenue as possible; and he did not think that the best use they could put the land to was to endow Harbour Boards for speculative purposes. He thought they should not agree to these proposals except upon the recommendation of the Government, who should be prepared to say: We have inquired into the proposed work, and, as far as we can humanly ascertain, we knew it to be a

good and satisfactory proposal, and one that will be for the general benefit of the whole colony.

* The Hon. Mr. STOKES would vote for the second reading of the Bill under certain reservations and conditions. It appeared necessary that the inhabitants of Wanganui should have some local power for administering the Harbour Trust. There was a considerable coastal trade between Wanganui and the other parts of the colony, but it appeared to him that the endowments in this Bill were not only very liberal but excessive. He would certainly object to the borrowing powers. He had some knowledge of previous legislation with regard to the Wanganui River in the Provincial Council, and £100 used to be considered a liberal grant. All that was wanted was to free the river so as to insure navigation without interruption, and possibly to make wharves and keep them in repair. There were several objectionable clauses in the Bill, but in Committee he hoped to see them altered or altogether removed. Borrowing powers to the extent of £50,000, he considered, were quite unnecessary and excessive; and he hoped that in all these Bills the borrowing powers would be excised. In addition to the third schedule, there was a liberal grant of 25,000 acres of land in the Manawatu. Now it was worth while reminding the Council that, during the consideration of these Bills in another place, the Deputy Superintendent of the province complained that in the Bills connected with Wellington there were endowments to the extent of 150,000 acres for these purposes, and said it was a matter which deserved the serious consideration of the Government. The lands of the colony would hereafter, in a great measure, be under colonial administration; and he thought that Bills that came before the Legislature, whether they were for a remission of taxes or for making certain endowments for different objects, should not be brought forward by private members. He thought they ought to have the sanction of the Government, and ought to be brought forward under their responsibility. All those grants of land or alterations of taxes must affect, to a certain degree, the calculations connected with the revenue. If they borrowed large sums for colonial works, the Land Fund was really what the public creditor would look to as the security given. While on the one hand they borrowed, and on the other so liberally took away the security which the creditor believed was intended for repayment, the colony would be put to very considerable inconvenience, not only in meeting its engagements, but also in attempting to borrow again. There were two other clauses in the Bill which appeared to him to be objectionable. Clause 22 provided,—

“The Board may from time to time make, alter, or revoke, any regulations providing that tonnage dues not exceeding in any case one shilling and sixpence per ton register, shall be levied and collected in respect of every vessel entering the port, and in and by such regulations the Board may provide for the manner of levying and collecting such dues, and by whom the same shall be paid, and in what manner the same shall be paid to any authorised officer of the Board.

“The Board may by any such regulations impose penalties for any breach thereof not exceeding five pounds for any one offence, and every such regulation shall be framed so as to allow the Court before which any such penalty shall be sought to be recovered to order a part only of such penalty to be paid.

“No such regulations, or any alteration thereof, shall have any force or effect unless and until the same shall have been approved by the Governor in Council, and shall have been published in the *Gazette* and at least one newspaper circulating in the borough.”

That appeared to him to be an objectionable clause, and also clause 26, which enabled them to levy a general river and improvement rate upon the borough, not exceeding 1s. in the pound. If they were to have this liberal endowment, and, in addition, were to be allowed to borrow £50,000, and to levy those rates, it appeared to him that the provision was altogether in excess of, and out of proportion to the needs of the port, which were very modest and moderate.

* The Hon. Mr. MENZIES must demur altogether to the doctrine laid down that the application of the land revenue to the endowment of harbours was a vicious principle or wrong in any way. He conceived that one of the most legitimate applications of the land revenue was to the construction of public works primarily in the district or province in which the land revenue arose. That was a principle heretofore recognized uniformly in all parts of Zealand, and the great public works which had been constructed by the Provincial Governments in most parts of New Zealand would never have been constructed had it not been for the application to that purpose of large sums obtained from the land revenue. Since the understanding, or compact, as it was called, of 1856, placed the land altogether under the control of the Provincial Governments, they had in nearly every instance enabled the provinces to construct large public works by means of the land revenue, which had been eminently reproductive in facilitating the extension of settlement, and in facilitating the transit of imports and exports. It had been said by one honorable member that the land revenue must be conserved for the purpose of meeting their debt charges. He did not understand how the honorable gentleman who advanced that argument could fail to see how such an argument was really inconsistent with the denunciation of the application of the land revenue to those purposes. Those liabilities had been placed on the land revenue in order to meet the debt charges principally for the construction of public works; and if the debt arising from the interest on money borrowed for the construction of public works by the General Government was a proper charge to place on the land revenue, he was at a loss to see why public works performed by a public board or other public works should not also be an equally legitimate charge. He was quite certain that, if the land revenue had not been applied in this way, nine-tenths of the public works in the colony, exclusive of railways, would not have been constructed. It had also been objected that the land revenue

should not be applied in this way, seeing that the land was mortgaged. He was not willing to accept that declaration; for it seemed to him that, seeing that the land revenue was provincial revenue, it was the provincial debts alone that could be held to be chargeable on the land revenue, and those debts formed only a third of the total liabilities of the colony. The security for the colonial debt was the Consolidated Revenue, and not the land revenue. Supposing that they threw out these Bills this year, how much worse would they be next year! It seemed to him not impossible that the consideration of their finances in another year would disclose a necessity for taking the land revenue and applying it exclusively to colonial purposes. Therefore it was very desirable, while they still had abundance of land, to apply a certain proportion of it to what, he repeated, was a very legitimate purpose. It was equivalent, as the Hon. Colonel Whitmore had said, to a grant of money. But since they could not get the money, it was given to them in land. If it would be legitimate as money, it must be equally so in land, especially when the conditions under which the endowments were to be given did not give the control of the land to the Harbour Boards. He was not quite certain whether in any instance the land was to be administered otherwise than under the ordinary land laws. In the South it was not; for there the endowments proposed to be given were to be given on condition that they were administered by the Waste Lands Boards under the existing land laws. He would not have said anything on this occasion but that he wished to express his opinion on the question of endowments; for it seemed to him that the application of the land revenue for this purpose was perfectly legitimate.

* The Hon. Mr. HOLMES said he did not hear the reasons given by his honorable friend when he moved the second reading of the Bill, but he imagined it was very much like the other Harbour Bills, and that the reasons given had been similar. There was no doubt a necessity for the establishment of a Board at Wanganui, with power to manage the harbour. The district was represented as one of the finest in New Zealand—it was certainly one of the finest in the North Island; and, as a natural consequence, in a short time there would be a considerable export trade from it. At present, a large proportion of the cattle used on the West Coast was obtained from Wanganui, and of course there must be some sort of harbour before the stock could be shipped. That trade, he apprehended, was merely a prelude to what might be expected from the permanent settlement of the country. He understood the district was likely to be an agricultural one, and therefore there must be some facilities afforded for export. He thought there could not be two opinions as to giving the power of management. All these harbours required some immediate control by parties residing on the spot. He was quite at one with the Hon. Mr. Menzies as regarded the endowments of land. Land could be given now, but it was possible that it might not be available at some future period. Besides, the land would not run away—it would be al-

ways there; and by giving 25,000 acres of land as an endowment, and applying the revenue derived from it to the improvement of the harbour, it would benefit all the land in the district—perhaps to the extent of a million acres. Although politically Wanganui did not stand very high, being a kind of rotten borough, he thought they should deal liberally with it. There was no reason why a differential measure of justice should be meted out to it from that afforded to other localities.

Bill read a second time.

FOXTON HARBOUR BOARD BILL.

* The Hon. Mr. J. JOHNSTON, in moving the second reading of this Bill, said he would ask the Council to agree to it for very much the same reasons as he had advanced in the case of the Wanganui Bill. The approach to Foxton was chiefly by sea: the channel required to be buoyed, and the navigation of the river was constantly being impeded by snags and other obstacles, so as to render it desirable that a Board should be established to keep it in order. There were other harbour matters which also required the management of a Board. This Bill contained a borrowing clause; but he recognized that other members in charge of similar Bills had promised to excise this clause, and he was willing to adopt a similar course.

The Hon. Colonel WHITMORE said this was one of those Bills which verged upon the ridiculous, and it was just a question with him whether it ought to be read a second time. It was possible to introduce Harbour Board Bills until it became an absurdity to introduce them at all, and they were reaching that point very nearly when they came to the Foxton Bill. The difficulty was to draw the line, and he hardly felt satisfied with himself, although he had made up his mind to consent to its being read a second time. But if he were satisfied to do that, he would point out that there could be no justification whatever for these enormous endowments that were proposed. Nor were they actually wanted. The honorable gentleman whose name was attached to the Bill had assured him that the real and main object of introducing it was to obtain power to take care of the river-mouth, which became blocked up with snags and other things. But, of course, while endowments were being granted, it was not in human nature for any locality to deny itself the opportunity of making application; and this he looked upon as a case of "trying it on." If honorable members made up their minds that every endowment which every irresponsible body chose to ask for was to be given, of course that was another matter. There were some honorable gentlemen who had that opinion. He had no great objection either to borrowing powers or to endowments, if they were recommended by the Government as a national necessity; but he could recognize that very little could be done in the sea without a large sum of money, and there might be a justification for granting borrowing powers hereafter. But those were things which, he contended, they were not in a position just now to entertain;

and when it came to an endowment of such a large block of land as this—15,000 acres of valuable land at Manawatu, and other blocks in the province—he thought it was out-Heroding Herod. They could hardly be expected to tolerate that, or else every little ditch in the country that ran into the sea would have a Harbour Board, and ask for a large grant of land. In fact, he would recommend those gentlemen on the East Coast to bring down Harbour Bills this session for every little creek they might happen to have in their localities, and ask that they should be endowed with considerable grants of land in the hope of securing their own interests. For the introduction of these Bills was for nothing else. A certain number of persons, just to secure their own interests, wished their little localities to be heavily endowed at the expense of the colony. This was one of several Bills which were barely Bills they could support. However, he would support this Bill, and vote for the second reading; but he intended to vote not only against the borrowing powers, but also against the endowments.

The Hon. Mr. AGLAND was going to vote for the second reading of this Bill, but would be very glad if the mover could give them some information as to who recommended this grant of land—whether it had been recommended by the General Government or by the Provincial Government, or whether it was merely applied for by the promoters of the Bill themselves. He would like to know, in reference to all these Bills, at whose recommendation the grants of land were selected.

* The Hon. Mr. STOKES felt in the same difficulty with respect to this Bill as the two previous speakers, and as he experienced in reference to the Wanganui Bill. He felt a very strong objection to the extent of the endowments, and he felt an insuperable objection to any powers of borrowing. A question on this point had been repeatedly asked, but they had received no answer from the Government. He recognized, with a previous speaker, that the Land Fund was to be devoted to public works. But if they devoted too large a proportion to one set of works, the others must fail. Now, the Government were under a distinct pledge to the Road Boards that they would pay them a certain annual amount in proportion to their rates; but if in each province so large an area of land was withdrawn for these permanent endowments, the Government must inevitably fail in their engagements to the Road Boards, and must make good that promise, if the Road Boards received what was their due, from the colonial revenue. Therefore it was arguing, as it were, in a circle. The Government was pledged to certain works; they borrowed money to carry out those works; and if the security failed, it must be made good by the colonial revenue or by additional taxation. Therefore if they diverted too large a proportion in each province or in each district or county from what they might call its legitimate objects, at all events from its first claim, it followed as a matter of course that either those country Boards must be subject to a larger

amount of taxation, or the subsidy promised by the Government must be made good from the colonial revenue. Therefore it was a matter of serious consequence that these reserves should be made under Government responsibility, instead of coming to them anonymously. They knew not on what authority these applications were made; they merely knew that the land was defined in the schedule of the Bill, and generally the Bill was introduced by a private member. That was not the sort of legislation that ought to take place under these circumstances.

* The Hon. Mr. HALL agreed with the last speaker, and indeed the Council had admitted, and he was very glad indeed that the honorable gentleman had done so, that they could not apply Crown land in any more beneficial or proper manner than in promoting these works. He was aware his honorable and gallant friend opposite held a different view. That honorable gentleman said the Crown lands were colonial property, and therefore this was only another way of asking the Council to give money out of the colonial chest. There was a certain amount of truth in that; but there was this to be said on the other side: It was true the land was colonial property; but the waste lands were not a property they were at liberty to deal with in the same way as with cash in the colonial chest. The waste lands formed a property with claims upon it. If they sold that land in any district and applied the money elsewhere, they would be doing a ruinous thing, exhausting the land just as much as if a man were to go on cropping his farm year after year without returning anything to the land itself. The end of such management would be ruin, and so it would be with the management of colonial property. In his opinion, it was their bounden duty to endeavour to apply the proceeds of the Crown lands to the improvement of the districts themselves in which the land was sold. It was colonial property, it was true, but it was property which had the strongest possible local claims upon it. In no way could the alienation of the land in various districts be better made a source of advantage to the colony than by providing safe harbours for the import of goods and the export of produce. He was very glad the Council had admitted the principle that it was a good thing to improve our harbours. But then came the question, which had been raised by the last speaker—namely, “Are we in certain cases applying that principle in a proper manner?” In the case before the Council, they had been left very much in the dark. His honorable friend had not shown that the amount of trade in Foxton was sufficient to warrant the constitution of a Harbour Board. There were difficulties connected with the harbour itself which would act as a great impediment to the proposed improvements, and he thought that, before the Council passed the Bill, it was its bounden duty to satisfy itself upon the points to which he had referred. They could only satisfy themselves by referring the Bill to the Waste Lands Committee, which would make every inquiry. He thought the question of Harbour Boards had not been dealt with elsewhere in that careful and

deliberate way in which large interests of this kind ought to be dealt with; and the proposals now before them devolved upon the Council, and especially upon those members who were members of the Waste Lands Committee, an amount of labour which would be sufficient for fully half a session. He thought they were bound to face that labour or not pass the Bills at all. His own opinion was that, although it might be desirable to give endowments in many cases, yet it would be desirable to reduce the amount of the proposed endowments. He hoped the honorable member in charge of the Bill would give the fullest information in his power to the Waste Lands Committee about this harbour, so that the Council would be enabled to say what they should give in the way of endowment to any Harbour Board that might be established there.

* The Hon. Mr. J. JOHNSTON thought that the members of the Council would have been better acquainted with the Manawatu River and the rising town of Foxton. He might tell them that, until recently, there were three steamers trading regularly between Wellington and Foxton once or twice a week. As matters now stood, Foxton was the commencement of the railway system for connecting that place with Wanganui. At present they travelled by railway from Foxton to Palmerston, and he hoped that before long they would be able to travel from Palmerston to Feilding. All over the district there were numerous farms, and cultivation was being largely carried on in every direction. The sea approach to Foxton was by the river, and to reach that place by road the passengers had to undergo a most disagreeable overland journey. The disagreeableness of this journey was principally owing to the fact that the Government, when they employed coaches for the carriage of mails, took great care that there should be no limit put on the coaches with regard to the number of passengers they should carry. The consequence was, that a coach that was capable of holding six or eight people was frequently made to carry double the number. On one occasion he had travelled in a coach which was intended to carry four passengers inside, but seven people were squeezed into it. When that was the case, the importance of steamboats was apparent. The Hon. Colonel Whitmore had spoken with reference to this Bill as if the Manawatu River was a mud creek; but if the honorable gentleman would only travel up that river, he would find that it was something very different. He hoped honorable members would give him the credit of not taking up a Bill unless he knew that it had its merits. He thought that the merits of this Bill would be recognized, and hoped that the Council would read it a second time.

Bill read a second time.

WAIMAKARIRI HARBOUR BOARD BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said that the proceedings of the Council that day had no doubt been of a monotonous character. There was a dreadful family likeness between all the Harbour Board Bills which they had under their

consideration that day, and honorable gentlemen would doubtless feel that in dealing with them they were performing a disagreeable but at the same time a necessary duty. The Bill which he was about to propose had the same strong family likeness to the other Bills to which he had referred; but he thought he might venture to say that, in comparison with some of the other Bills, it was of little importance as far as its provisions for endowment and borrowing were concerned. It had been introduced in another place by his honorable colleague the representative of the District of Kaiapoi, and in the eyes of that honorable gentleman and the people who lived in that important electoral district it was a very important matter. He was not now exactly posted up statistically regarding the districts interested in the port of Waimakariri, but he was advised that the port had always been under the protection of the Provincial Government of Canterbury, and he believed that a signalman and some other officers had been stationed there. His honorable colleague the member for Kaiapoi had introduced the Bill, not as a member of the Government but as the representative of the district, and he would take this opportunity of saying, with respect to some observations that had been made by an honorable gentleman opposite as to the duties of the Government with regard to these Harbour Bills, that he was not in accord with him in his views. He did not think that because a gentleman happened to be a member of a Government he should be altogether oblivious to the wants of his district. These Bills were brought down to the House of Representatives by message from the Governor; and although the Government advised His Excellency to send them down, they did not as a Government pledge themselves to give their assent to all of them in the form in which they were sent down. The Bills had been considered in another place, and they were now brought to the Council for its consideration. This Bill provided that there should be a Harbour Board for the Waimakariri, consisting of seven persons, one of whom was to be *ex officio* the Mayor of the Borough of Kaiapoi; two were to be elected by the ratepayers of the borough, two by the ratepayers of Eyreton, and two were to be appointed by the Governor. The Bill provided that an endowment of a very modest character, amounting only to 5,000 acres of land, should be made, and that, together with the foreshore of the river, was to be the estate of the Board. There were the usual borrowing powers, with respect to which he had observed that there was some difference of opinion in the Council. However, as other Bills which had the borrowing powers had met with a not unfavourable reception by the Council, he hoped that this Bill would meet with the same consideration. He hoped the Council would allow the Bill to be read a second time.

* The Hon. Mr. STOKES said that the Hon. the Colonial Secretary had truly stated that all the Harbour Board Bills had a strong family likeness. It might be said with regard to them,

— *Facies non omnibus una,
Nec diversa tamen, qualis decet esse sororum.*

But a line must be drawn somewhere. They all knew that the Waimakariri Harbour was not very far from the harbour of Lyttelton, and railway communication was complete between Kaiapoi and Christchurch, and Lyttelton; and therefore, if its claims were postponed to another and more convenient season, no great harm could be done. With the view of ascertaining the opinion of the Council with respect to some of these Bills, he would move that this Bill be read a second time that day six months.

The Hon. Mr. ROBINSON seconded the motion *pro forma*. He was very much surprised at the action which his honorable friend had taken, especially after he had heard the Hon. Mr. Johnston say, that he would not take charge of any Bill that did not deserve the attention and consideration of the Council. He felt perfectly certain that the honorable gentleman who had charge of this Bill would not have introduced it unless it had its merits. Of course, there was no doubt in his mind that it must be a Bill of very great importance indeed. He happened to know a good deal about the country in the neighbourhood of Waimakariri, and he had always been of the opinion that the Waimakariri was but a small river. It was certainly true that a great quantity of wood and water flowed down it; but though the river had breadth it had no depth, and when a vessel went into it, it had great difficulty in getting out again. He understood that the Waimakariri Harbour was only thirteen miles from Christchurch; but knowing as he did that the honorable gentleman who introduced the Bill would not have introduced a Bill which was not absolutely necessary, he was of course labouring under a mistake. There were at present only about twenty of these Harbour Board Bills before the Council, and each member was speaking about twenty times, but he was now speaking for the first time. He quite agreed with the Hon. Mr. Hall that there was a great deal of difference in respect to the harbours. Some of the places in which Harbour Boards were proposed to be established were places of great importance, and it was very probable that land could not be better disposed of than by endowing them. There were, on the other hand, several of the Bills which they ought never to have taken into consideration, and he certainly would have included this one in the number, if it had not, as he had said, been brought in by the Hon. the Colonial Secretary. There should be no exception made if this principle was to be carried out; and if they endowed one Board, they should endow the whole of them. He was of opinion that they should set their faces against reading these Bills a second time. The session was now drawing to a close, and the Waste Lands Committee would have as much as it could do without having to deal with these Bills. He thought it was only a waste of time to take the Bills into consideration at all, and, holding that view, he would *pro forma* second the motion of his honorable friend Mr. Stokes.

The Hon. Colonel WHITMORE said that those who promoted this Bill must have known

that their case was a very weak one when they called upon their honorable friend Dr. Pollen to assist them. He thought honorable gentlemen would admit that the Council must draw the line somewhere, and that was, in his opinion, the point at which they should stop. If they were to carry out the principle that every place visited by ships was to have a Harbour Board, there would soon not be a creek of any size in the country which would not have a Harbour Board, invested with borrowing powers. There were demands for Harbour Boards from all parts of the colony, and it was impossible for them to discriminate between them. Nelson, which was a very important port, had no Harbour Board, and yet it had fifty times the claim that many of the places now asking for Harbour Boards had. He would support the motion of his honorable friend Mr. Stokes; and he did not think that the Council would agree to give away lands in the shape of endowments in this reckless manner.

The Hon. Mr. ACLAND had hoped to hear a few remarks from the Hon. Mr. Hall upon this subject. It was quite true that a railway had now been made; but he could remember the time when the only way of getting goods from Kaiapoi to Lyttelton was by boat, and it was only natural that the settlers should like to keep up their communication by water. He hoped the motion that the Bill be read a second time that day six months would not be agreed to.

The Hon. Mr. BONAR said he had some knowledge of the Waimakariri, as he had had vessels trading to that place, and he had never found any difficulty in getting his vessels out after they had got in. He would point out, also, that goods had to be sent from Kaiapoi to Christchurch, and thence through the tunnel to Lyttelton, before they could be shipped, which of course involved a very large expense. It was a very much cheaper mode of conveyance to take the goods from Kaiapoi to Lyttelton by water. His honorable and gallant friend Colonel Whitmore had referred to Nelson as not having a Harbour Board with borrowing powers; but he must remember that Nelson was provided for two years ago, when it was authorized to borrow £30,000 for harbour improvements.

* The Hon. Dr. POLLEN said he would consider himself badly treated if this Bill were not read a second time. He had tried to show the Council the importance of the Bill. He had no knowledge of Waimakariri, but the importance of the Bill, and the necessity for it, had been very strongly impressed upon him by his honorable colleague the member for Kaiapoi; and if he had failed to convince the Council that it was an important affair, it was his misfortune. The Hon. Mr. Robinson had pointed out a most wonderful reason why there should be no Harbour Board for this important point—namely, that there was a great deal of water running out of it, and—

The Hon. Mr. ROBINSON hoped his honorable friend would allow him to put himself right with the Council. He had said that there was a good deal of water in the Waimakariri River, but that there was no depth.

* The Hon. Dr. POLLEN said that that was a stronger reason why they should have harbour works. His honorable friend Mr. Robinson had also said that when vessels got into the river they could not get out again.

The Hon. Mr. ROBINSON explained that what he said was that he thought so and so was the case; but he was perfectly satisfied that the reverse was the case in consequence of his honorable friend having introduced the Bill. He intended to vote for the Bill.

* The Hon. Dr. POLLEN understood that that was one of the objections urged for the purpose of showing its want of importance—that it was sometimes liable to the accident of being closed. That, to his mind, was one of the best arguments for the constitution of a Harbour Board. Only recently they had heard of an important harbour on the West Coast being closed—a harbour no less important than that of Hokitika—the consequence of which was that the whole district suffered for some considerable time. It was the very possibility of these contingencies that rendered Harbour Boards necessary. There was a considerable amount of traffic up the river as far as Kaiapoi; but the entrance to the channel changed frequently, and there were other dangers which rendered it necessary to keep a signalman at the mouth of the river. This was one of the expenses; and as he had already spoken of the necessity for providing against contingencies, he need say no more except that as to the borrowing powers he was quite content that the Bill should be treated the same as the others. He hoped the Council would read the Bill a second time.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	8

AYES.

Mr. Acland,	Mr. Holmes,
Mr. Bonar,	Mr. Lahmann,
Colonel Brett,	Dr. Pollen,
Captain Fraser,	Mr. Robinson.

NOES.

Captain Baillie,	Mr. Pharasyn,
Mr. Edwards,	Mr. Russell,
Mr. Hall,	Mr. Stokes,
Mr. Menzies,	Colonel Whitmore.

The Hon. the SPEAKER gave his casting vote with the Ayes.

Bill read a second time.

COUNTIES BILL.

This Bill was further considered in Committee. Schedule 1.—Vincent County.

The Hon. Captain FRASER moved, That the word "Vincent" be struck out, for the purpose of inserting the word "Molyneux."

Question put, "That the word proposed to be omitted stand part of the schedule;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	8
Majority for	...	...	...	...	5

AYES.

Mr. Acland,	Mr. G. B. Johnson,
Captain Baillie,	Lieut.-Colonel Kenny,
Mr. Bonar,	Mr. Lahmann,
Mr. Campbell,	Dr. Pollen,
Mr. Chamberlin,	Mr. Robinson,
Dr. Grace,	Mr. Stokes.
Mr. Hall,	

NOES.

Colonel Brett,	Mr. Paterson,
Captain Fraser,	Mr. Pharasyn,
Mr. Holmes,	Mr. Scotland,
Mr. Menzies,	Colonel Whitmore.

The amendment was consequently negatived. Schedule 1.—New County.

* The Hon. Mr. HOLMES moved, That the following be the description of a new county to be taken out of the Wallace County:—"The Anan County is bounded towards the north by Lake County; towards the east by Lake County and Southland County, and the boundary between runs 181 and 159; towards the south by the boundary line between runs numbered 181 and 159, and that line produced due west to the Hunter Mountains, near Clengbearn Peak; towards the west by right lines from peak to peak along the summits of the Hunter Mountains, Kepler Mountains, Murchison Mountains, to the highest point of Barrier Peak, thence by a right line to the nearest arm of George Sound, and thence by the ocean to Lake County."

Question put, "That the words proposed to be inserted stand part of the schedule;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	12

Majority against	...	...	...	...	6
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AYES.

Mr. Campbell,	Mr. Hall,
Mr. Chamberlin,	Mr. Holmes,
Captain Fraser,	Mr. Robinson.

NOES.

Mr. Acland,	Mr. Lahmann,
Captain Baillie,	Mr. Menzies,
Mr. Bonar,	Mr. Nurse,
Colonel Brett,	Dr. Pollen,
Dr. Grace,	Mr. Scotland,
Mr. G. B. Johnson,	Mr. Stokes.

The amendment was consequently negatived.

Progress was reported, and leave given to sit again.

RIVERTON HARBOUR BOARD BILL.

The Hon. Mr. MENZIES, in moving the second reading of this Bill, said it differed slightly from many of the Harbour Bills that had passed under the consideration of the Council that evening, inasmuch as a Harbour Board had been

formed under the provisions of an Ordinance of the Provincial Council, passed in 1874, and which was referred to in the preamble of this Bill. But it had been found that the funds at the command of the Harbour Board were not sufficient to carry out certain works that were indispensable to promote the navigation of the river. Riverton was situated on the seaboard, beside the estuary of the River Aparima, the anchorage-ground and shelter of which were excellent. Unfortunately, the estuary was a bar harbour, and only vessels of a light draught could enter there. Consequently the vessels frequenting the harbour were only small ones. It was the outlet to a very large extent of good arable and also pastoral country. It was the outlet of the County of Wallace, the boundaries of which the Council had agreed to on that evening. The lower part of that county, as it would have existed if the amendment of his honorable friend Mr. Holmes to cut the county in two had been carried, would have consisted almost entirely of good arable land, bounded on the west side, however, by a ridge of forest country between it and the Waiau. But the greatest part of it would be good arable land—very rich limestone country. The district was populous, the farms he believed were prosperous, they had good crops, and the export of grain from there was very considerable. There was also a large amount of wool grown in the interior, a good deal of which had been shipped from Riverton; and still more would be shipped there if increased facilities were given for navigation. This Bill proposed to give an endowment of 15,000 acres of pastoral land in the upper part of the country, and it also proposed to give a borrowing power of £20,000 to the Harbour Board. It was necessary for him to say that the latter provision he would be willing to withdraw; but he trusted the Council would agree to the second reading of the Bill, and to the endowment being given; for there were considerable works required to be done, which would very materially improve the navigation, facilitate the shipping trade, and increase the prosperity both of the town and the country in the neighbourhood. He held in his hand a memorandum from some influential residents in Riverton, one of whom bore a name which was known in the Legislature—that of Mr. Hankinson. That gentleman, with several others in the district, drew his attention to the fact that a commodious wharf was wanted, at which vessels could be berthed with safety, and, together with other necessary works, would cost about £5,000. A bridge was lately thrown across the estuary at Riverton to carry the Orepuki Railway, which stopped the navigation. In constructing the bridge, the engineer had thrown out a jetty at right angles to the bridge downwards, and this was found to be immensely inconvenient, and it was necessary to construct some other works to improve the facilities for loading and discharging cargo. He had a small sketch of the estuary and the bar, by which honorable members would see that by certain engineering works of a very modest and comparatively inexpensive character the channel could be diverted so as to

scour the bar and keep an open channel, with much deeper water than had hitherto been usual. This was also one of the recommendations of the gentleman to whom he had referred. This work was so essential to the increased trade, and consequently to the increased prosperity of the place, that the cost would be very well bestowed. The export trade of Riverton in 1872 was about £15,700; the imports, about £18,000. With that explanation, he trusted the Council would agree to the second reading of the Bill.

* The Hon. Mr. HOLMES thought it was scarcely necessary to enter into any prolonged discussion on this subject, as the Bill was somewhat similar to those which had preceded it. The harbour at Riverton was a bar harbour. There never would be a very great depth of water there, but the erection of a proper wharf would facilitate commerce very much, and be of service to the district. It should be borne in mind, however, that Riverton was within about twenty miles from the Bluff, and it would scarcely be judicious to spend a large sum on a small harbour like this while, there was a really first-class port in the vicinity. However, his honorable friend proposed to drop the borrowing powers, and merely to obtain a Harbour Board and endowments. In that case, he thought the Council should agree to the Bill. He had no doubt that £10,000 or £15,000 would be very well expended on the harbour.

The Hon. Colonel WHITMORE objected to the endowments of land much more than to the borrowing powers. Although this was not the proper time to ask for them, borrowing powers should be given in connection with all the large harbours in the colony. A Harbour Board was exactly the kind of body that ought to be allowed to borrow money. Any other body might, and probably ought to, go on with its rates, and from year to year expend those rates in maintaining and improving its roads, streets, and so on; but a Harbour Board must require a considerable sum to contract for specific works. He believed borrowing powers would be required for all the principal harbours in the colony. What he objected to with regard to borrowing powers was their being given on a great number of different principles, at different rates, and on different conditions. He thought the General Government ought to decide what should be the general principle with regard to borrowing to be adopted in all the harbours for the future; and when the General Government Bill came before them, he would not be at all disinclined to consider the question of borrowing as regarded harbours. He himself considered the amount ought to bear some proportion to the dues. On the other hand, the endowments meant the giving of certain sums of colonial money—for it was nothing else but money—to certain harbours. Here they had, on a small strip of coast from Timara to the Bluff, a very large quantity of land to be laid aside, not for harbours of refuge, not for harbours of colonial importance, or for harbours for which the colonial purse ought to make contribution, but simply for the advantage of the people who were wide-awake enough to get

their claims put in at the same time as the other people whose Bills had been brought before the Legislature. With regard to Riverton, he did not think there was the smallest pretence for saying that it was of so much importance that the colony ought to be called upon to make a large endowment of land to it. If the Government should come down next year and say certain harbours should be subsidized by the colony for certain reasons, he would give every attention to the Government recommendation; but he could not be a party to these large endowments of land on no responsibility save that of the member bringing the matter forward. He would be happy, however, to agree to the second reading of Bills to provide the necessary machinery that was wanting. He must protest against any more alienation of land—really the alienation of money—merely for the benefit of a single locality, and for no colonial advantage. Therefore, while the Hon. Mr. Holmes said he would confine his opposition to the borrowing, he (Colonel Whitmore) would confine his opposition to the borrowing and to the endowment in land; and he hoped the Council would not impoverish the country by any large endowment of land at all, but would leave the responsibility of doing that to the power which ought to take it—namely, the Government.

The Hon. Captain FRASER said that, whilst they were all prepared to give endowments, at the same time, as a salve to their consciences, they refused the borrowing powers. In fact, it was a humbugging sort of legislation altogether, for which they were entirely indebted to the present Government, who should have taken this matter in hand themselves. They said, "Oh, you cannot apply the land to a better purpose than to make harbours." The Government should have introduced general legislation on this subject long ago. What the Council was doing now was just humbug, and no more.

* The Hon. Mr. STOKES said this was just one of those Bills which ought to be carefully considered before being passed. No good reason had been shown why it should be read a second time. They were told, and any one looking at the map of the South Island would see, that Riverton was close to the Bluff Harbour, for which a Bill had been introduced and read a second time. They were told, as would also be seen by reference to the map, that Riverton was connected with the Bluff by a railway; and they were further told that this was a bar harbour. They knew that ordinarily money might be thrown into the water to improve a bar harbour, and that the first winter might sweep up the bar and make it just as bad as ever. Before any of these works should be undertaken, and before any Bill authorizing such works by giving endowments for them were passed, they should have sufficient information to know that the money would be well spent. This Bill was the old story they had had repeated so often. The principle of the Bill was to lay aside 15,000 acres for an endowment, and to borrow £20,000. They were going to strike out the borrowing powers; but while the endowments lasted, they might be well assured

that, if not next session, very shortly after, they would have Bills introduced amending those they had passed, and authorizing the borrowing powers to be given. This was one of those Bills he would be very glad to see laid aside for more consideration, and that it should be introduced when it was wanted; but in his humble opinion that time had not yet arrived.

The Hon. Mr. MENZIES said that if the honorable gentleman had ever visited Riverton or the neighbourhood, he would be much more impressed than he was now with the necessity for making improvements in the harbour, and for enabling larger vessels to go there than traded there at present. It was true that a railway to Riverton had been projected; but after some of the earthworks had been made, the contractor had thrown up his contract. There was no likelihood whatever that that railway would be finished for a year; and unless taken up by the General Government, and finished in a different style from that in which it had been so far proceeded with, it would be of very little use indeed when it was finished. The trade of Riverton hitherto had almost entirely depended upon the seaboard communications. It was true that, being a river admitting only small vessels, the trade had only been by coasting vessels; still it had been of importance to the people there, and it had hitherto been insufficient to meet their wants. There was an admirable beach, along which drays could go to Invercargill; but the principal part of the trade from Riverton during the last two or three years had been by seaboard. As the roads leading to the beach from Invercargill had been put in better order, a large amount of traffic now went by dray. The Hon. Colonel Whitmore repeated his objection to the endowment, but it really amounted to this: The land was given by way of endowment, and a perusal of the terms of the Bill would show that all the Harbour Board had to get was the proceeds of the sale of the land. They would have no hand in the management of the land, which would continue under the control and management of the Waste Lands Board. The Harbour Board would get the proceeds when the land was sold; but if the land was not readily saleable they would not be able to avail themselves of it to any considerable extent. It really meant a certain vote of money given by way of endowment. The harbour was a bar harbour; but so far from looking at it on that account in the same light as the Hon. Mr. Stokes—who threw cold water on the idea of improving it—he thought that fact should rather incite the Harbour Board to renewed efforts to improve and deepen the channel across the bar, so as to admit of the ordinary steamers plying along the coast entering the harbour.

Bill read a second time.

The Council adjourned at twenty minutes to eleven o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 18th October, 1876.

First Reading—Native Land Purchase—Clutha Railway Bridge—J. Goodfellow—Lakes District—H. W. Far-nall—Supply—Financial Arrangements Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Public Works Bill.

NATIVE LAND PURCHASE.

Mr. SHEEHAN wished to put a question to the Premier without notice. During the somewhat acrimonious discussion that took place on the Native land question on the previous evening, the Minister of Justice referred to his (Mr. Sheehan's) connection with the purchase of a block of land at Pakiri, and made statements which would suggest a serious charge against him. It was quite true that, some few days ago, he received through the Government a copy of a letter forwarded to them by the Native Land Frauds Prevention Commissioner in Auckland, which was sent to him for his information and remarks. The business of the House had been so continuous that he had not yet had time to read it; and what he wished the honorable gentleman to do was to lay on the table a copy of the letter forwarded to him, together with his reply to it when delivered.

Major ATKINSON said he would have no objection to lay the letter on the table.

CLUTHA RAILWAY BRIDGE.

Mr. THOMSON asked the Minister for Public Works, Whether he will state the contract date for the completion of the railway bridge over the Clutha, and whether he expects that the work will be finished in contract time? He was informed that the construction of the bridge over the Clutha River was progressing very slowly—so slowly indeed that, if it proceeded at the same rate, several years would elapse before it was completed. That was his reason for asking the question.

Mr. RICHARDSON said the contract date for the completion of this bridge was March next. He was informed that it was quite possible for the contractor, if he chose, to finish that work within the contract time. At the rate at which the work was now progressing, he was afraid that the bridge would not be completed within the specified time; but the Government did not wish at present to interfere in the matter, seeing that the contractor had up to March next to complete his contract.

J. GOODFELLOW.

Mr. MURRAY asked the Government, If they will appoint an impartial and competent person to carry out the recommendation of the Public Petitions Committee, and the resolution of this House of the 20th September, in order to a fair settlement of the claim of Joshua Goodfellow?

He said it would be recollected that, on the 20th September, the House approved of a report of the Public Petitions Committee in regard to this case. He wished to know what course the Government proposed to take in reference to the case, which he considered to be one of great hardship. He hoped the Government would be able to give an answer to the effect that they would appoint some competent and impartial person to investigate the amount of damage the petitioner had sustained from the inefficiency or neglect of the Government Engineer, and that after that investigation took place they would take steps to settle the petitioner's claims without delay.

Mr. RICHARDSON said the contractor in this case, as in almost all other railway contracts, had a remedy open to him, of which he had failed to take advantage, but preferred going direct to the Public Petitions Committee. The recommendation of that Committee was forwarded to the department. He (Mr. Richardson) instructed the Engineer-in-Chief to read the evidence given before the Committee, and give his opinion thereon. The Engineer-in-Chief reported that there was nothing in the evidence to warrant the making of any further payment to Mr. Goodfellow. He said there was a method open to the petitioner to have an impartial inquiry into this matter, and a letter was addressed to Mr. Goodfellow, on the 16th instant, informing him of that fact. That was the only step the Public Works Department was inclined to take at present in reference to this matter. He would have an opportunity next sitting day of going further into the matter as to the way in which these questions came before the Public Petitions Committee. He would say at once that he could see no reason why any petition should be considered by the Public Petitions Committee at all until the contractors had first availed themselves of the various other sources open to them of obtaining redress.

Mr. MURRAY wished to know who the arbitrator was that was referred to in this case. He was informed that the petitioner did actually bring the matter under the notice of the department before he appealed to this House.

Mr. RICHARDSON said that in these contracts there were certain conditions to be complied with. The contractor was brought into immediate communication with the District Engineer, and the Assistant Engineer was constantly on the works. In this case, the contractor did bring the matter before the District Engineer, and it was considered by him that he had got proper redress. The 21st section of the contract provided that in case of any dispute arising as to any matter connected with the works, such dispute should be referred to the arbitrator named in the contract, whose decision should be considered binding on all parties. The arbitrator named in such contracts as this was the Engineer-in-Chief, to whom complaints were constantly referred. That officer inquired into those complaints, and he was not aware that in any case had objection been made to his decisions.

LAKES DISTRICT.

Mr. MANDERS asked the Colonial Treasurer,

(1.) Whether he had been furnished with any account of the expenditure by the Otago Provincial Government of the amounts sanctioned by the Colonial Government, from the 1st April to 30th September, 1876? (2.) If so furnished, if he will state the amount proposed to be expended in the provincial district of the Lakes, Otago, and the amount actually expended during that period in that district? His reason for putting these questions was that a statement had been made that the outlay in his district had been in excess of the revenue derived from it. He merely asked for an account of the expenditure between 31st March and 30th June, in order that it might be seen whether the statements made were correct or not.

Major ATKINSON said the Government had not been furnished with any account. Of course, the Government could obtain from the Provincial Auditor a report of the expenditure which had taken place during the period referred to; but in due course, the Provincial Government would publish the accounts in the *Provincial Gazette*. He understood the statements of accounts were published in that *Gazette* quarterly. The information referred to in these two questions would not probably be obtainable until after the close of the session.

H. W. FARNALL.

Sir R. DOUGLAS, on the motion for the House resolving itself into Committee of Supply, moved, That this House do resolve itself into a Committee of the whole to consider an address to His Excellency the Governor, requesting him to recommend to this House an appropriation of £1,050, to satisfy the claims that Mr. H. W. Farnall has on the Province of Auckland, as stated by the report of the Public Petitions Committee. The motion as written did not convey the meaning he would have wished it should, for the Public Petitions Committee had reported that Mr. Farnall had a claim against the Province of Auckland, but did not name any sum, and this motion named an arbitrary sum. It was well that the matter should be settled, and the claim Mr. Farnall had against the Province of Auckland satisfied, as the amount named in the resolution was an arbitrary one, and he would be prepared to accept an amendment in that respect. He would ask the Government to give an intimation as to what they intended to do in the matter; and he hoped the Chairman of the Public Petitions Committee, and also other members of the Committee, would give their views of this matter.

Mr. KELLY wished to explain to the House the position in which this claim stood. Mr. Farnall was, in 1873, appointed by the Superintendent of Auckland, under the Auckland Waste Lands Act of 1867, as Immigration Agent in Great Britain; but it appeared that the portion of that Act which empowered the Superintendent to make such an appointment had been repealed by "The Auckland Waste Lands Act, 1870." It was also clear that Mr. Farnall accepted the appointment, and performed some services, but the extent and value of these services had not been ascertained. The Committee reported that Mr. Farnall had

some claim against the Province of Auckland, but the amount had not been agreed to. He thought the amount was a matter between Mr. Farnall and the Provincial Government of Auckland.

Major ATKINSON hoped the House would not consent to this motion, because, as had been very fairly pointed out by the Chairman of the Public Petitions Committee, the appointment was undoubtedly illegal. Mr. Farnall was appointed Provincial Government Agent at the time, but there was no authority whatever to make the appointment as made. If there was a claim at all, it was against the Provincial Government of Auckland; and it should have been submitted to the Council of that province, which had held one or two sessions since the appointment was made. He should state to the House that the gentleman whose claim was under consideration had issued land orders without any authority to do so, he acting under an authority which had been repealed before he was appointed. No doubt very great injustice had been done to persons to whom the land orders were issued. Mr. Farnall's claim should have been made to the Provincial Council of Auckland, and it was not one that the House should entertain.

Captain MORRIS said there seemed to be a wide margin between £1,050 and nothing. He would like to hear from a representative of the Provincial Government of Auckland whether they were inclined to recognize this claim at all. It would appear that the petitioner was likely to fall to the ground between two stools. If he had been appointed illegally, he had, at all events, acted upon that appointment, and had presumed that it was a *bonâ fide* appointment. Mr. Farnall deserved some consideration; but whether he should receive £1,050 or not he was unable to say.

Mr. SWANSON said certainly one session of the Provincial Council had been held since the appointment was made, and he might state that no sum was put upon the estimates for any such service. He was satisfied that the Council had no knowledge of such appointment. The first he ever heard of it was from the petition.

Sir G. GREY thought the whole question required investigation. The gentleman whose claim was now before the House had issued land orders to persons authorizing them to take up lands on what was called the Katikati Block—Mr. Vesey Stewart's settlement. These persons were induced to invest their money in the purchase of land, to bring their families out here, and to risk their whole property—not to say their future lives—under the belief that they would obtain land in that settlement; and these unfortunate people up to the present time had got no land, and the province had no land worthy of their acceptance to give them. Those land orders were, he believed, issued without any authority whatever in law, and, he might say, with no reason. The persons to whom the orders had been issued were virtually those who had been wronged; and their claim should be investigated as well as Mr. Farnall's claim to remuneration. He was advised that the original appointment as Agent to the

Province of Auckland was unlawful, and no estimate whatever of salary or payment to him was submitted to the Provincial Council; no instructions were issued to him as to the duties he was to perform; and, under these circumstances, it was extremely doubtful what the nature and the amount of his claim might be. The claim made upon the Provincial Government was considerably larger than that brought before the House; and he was advised by the members of the Provincial Government who made a close investigation of the matter, that no claim of the kind would lie against the Provincial Government of Auckland at all. He was very glad that the matter had been referred to the Public Petitions Committee, because he would be exceedingly sorry if any injustice should be done. Under the circumstances, he could not advise the House to vote such a sum as £1,050, until some further inquiry had been made into the case. He had received no information that would enable him to come to any decision upon the subject. Complete and accurate accounts should be produced, and the nature of the claim established; and the difficulties into which these unfortunate people had been plunged should be investigated at the same time. If the province continued, the provincial authorities would make the investigation; but if it did not, those upon whom the administration of affairs devolved would have to do so. At present, he did not think the House should take any steps in the matter.

Mr. RICHMOND, as a member of the Committee, would say that this gentleman was appointed by the Superintendent in an illegal manner. If the House recognized this claim on account of the appointment of Mr. Farnall as agent for the Provincial Government of Auckland, he believed they would make the House responsible for the claims of those who had obtained land orders, and liable to compensate them for the losses they suffered in consequence of the illegal issue of those orders.

Mr. GIBBS would mention one peculiar matter. In the paper submitted to the Committee, there was no reference to any remuneration or to any salary proposed to be paid. No estimate had been submitted by the Superintendent to the Provincial Council for the payment of this gentleman. It appeared that when Mr. Farnall was proceeding to England as agent for the Provincial Government, he took his departure without anything more definite to guide him than the simple letter from the Superintendent retaining his services.

Mr. MURRAY trusted the House would not agree to the motion. He had investigated the case as a member of the Public Petitions Committee, and he was of opinion that Mr. Farnall had no legal claim whatever. The appointment was unlawful in the first instance; and the action of the Superintendent, in not bringing the matter before the Provincial Council, showed that he had no intention whatever of making this a permanent appointment. The amount of work done by this officer it was impossible for the Committee to determine. It would appear, however, that the appointment was nearly a nominal one, and the

work done was very small. It would then be for the House to consider whether they should give £1,000 to this gentleman for doing nothing.

Mr. SHEEHAN said, in his opinion, Mr. Farnall had a claim against the Province of Auckland in respect to his services as Immigration Agent. Whether the amount now proposed was a right one or not, he was not prepared to say; but he thought the provincial authorities of Auckland might agree to this matter being inquired into by some Auckland members, who could say what would be a fair amount to allow to Mr. Farnall. It was quite true that the appointment was an illegal one, the Act of 1867 being repealed, and therefore the land orders would not hold good. It was also true that the Superintendent had not consulted the Provincial Executive on the subject; but these were not equitable objections to raise to the claim. Mr. Farnall, who was in England at the time, could not know that the Superintendent had not consulted the Provincial Council; and if he did remain in England, and performed the duties of Immigration Agent, the colony would be acting unfairly if it did not recognize his claims to some extent. Perhaps, the best way would be for three or four Auckland members to investigate the matter, and report to the Superintendent as to the amount which it would be fair to allow to Mr. Farnall; and then the Superintendent could ask the Government to include this amount in the provision they were making for the Province of Auckland during the present twelve months.

Motion negatived.

SUPPLY.

The House went into Committee of Supply.

CLASS VIII.—PUBLIC DOMAINS AND BUILDINGS. Public Buildings, £27,515.

Mr. RICHARDSON said there was a considerable increase in the amount put down for departmental buildings over the amount voted last year. This increase was meant to provide for the repair of provincial buildings, which the General Government would have to take over. It had been impossible, of course, to know what the exact amount should be; but further inquiry led him to the belief that so much as was put down would not be required. He would therefore move, That the item Departmental Buildings be reduced by £4,000.

Mr. MONTGOMERY wished to know why there was £450 put down for Ministerial residences, instead of £350 as last year.

Mr. RICHARDSON replied that £1,500 was voted last year for furniture for Government buildings throughout the colony; but it was thought better to apportion the sums this year to the different buildings, and consequently £100 had been put down to Ministerial residences.

Mr. LARNACH asked how the £3,200 for Court-houses was to be distributed?

Mr. RICHARDSON said this amount was for general repairs of Court-houses throughout the colony, with the exception of £1,500 for the Duneedin Court-house, which sum was voted last year, but not expended.

Mr. WASON wished to express an opinion with regard to heating the new Government buildings which were being erected in Wellington. He believed there were about 100 rooms in those buildings, each having an open fireplace. The consequence was that there was serious risk of fire, and extra expense in having to keep men to attend to those fires. It would be much better if one warming apparatus for the whole building were used, when one man could do all the work, and the danger of fire would be infinitesimal.

Mr. LARNACH called attention to the item Contingencies, £2,000. No doubt it was necessary to take a vote to meet unforeseen circumstances, but the lump sum for contingencies on these estimates was very large, and some explanation ought to be given to the Committee, at all events with regard to the principal items.

Mr. RICHARDSON said a sum was always placed on the estimates for contingencies. He had already made a considerable reduction upon these items. They could not foresee what might arise in connection with these buildings, which might require additional expenditure to be made. The honorable member had moved for a return of the money expended on the public buildings, and that return would show how every penny of the money had been expended.

Item, as reduced to £1,800, agreed to.

Sir G. GREY moved that the item Ministerial Residences, £450, be struck out, in the hope that these residences would be done away with altogether. The House had very little idea of the cost of these Ministerial residences. Making a fair allowance for the rate of interest on the money invested, the cost of each of these three residences was between £700 and £800 a year. That amount would make the Premier's salary equal to £2,500 a year. He was informed that these residences were furnished throughout, and in the most extravagant manner—that even a requisition had been sent in for a corkscrew. He should be glad to learn that such was not the case. The cost of these residences was an addition to the salaries of Ministers, which should not be made.

Mr. RICHARDSON hoped this item would not be struck out until the House knew whether or not the Ministerial residences should be done away with. The buildings must be kept in a state of repair. He was not aware that any more than the ordinary quantity of furniture was provided for these residences.

Mr. LUSK would like to know how many residences had to be kept in repair.

Mr. RICHARDSON said there were three belonging to the Government, and two leased.

Mr. REYNOLDS said the residences were very plainly furnished. It was absolutely necessary that they should be furnished. If they did away with those residences, there would be a great difficulty in getting Ministers to reside in Wellington. They would have entirely a Wellington Government, and that would be the worst thing that could happen to the colony. The salaries paid would not be sufficient to tempt any one to reside in Wellington if they had to find themselves houses; they were barely sufficient to meet the expenses of Ministers.

Mr. W. WOOD knew of Ministers living in private lodgings, and occupying houses at a rental of not more than £5 a month. They did not serve their country the less effectively by living in humble residences. He did not think the country should be put to the enormous expense of keeping up five Ministerial residences.

Sir G. GREY said it should not be a question of tempting gentlemen to act as Ministers. If there was no love for the service of the country, no salaries that could be paid would tempt men to undertake such duties. In wealthy colonies, there was no such expenditure for Ministerial residences. This was an extravagance which had grown up recently in this colony, and which ought to be checked at once. It would be infinitely better to make a house allowance. If Wellington was to continue to be the capital of the colony, the inhabitants would furnish houses which could be rented suitable for Ministers and others to reside in. It was wrong to continue an expenditure of this kind. It was the duty of the Minister for Public Works to keep his own house in repair. Considerable expense had been incurred upon the residence of the late Premier. Ministers should make some sacrifices for the good of New Zealand, and show they desired to live economically. They would have enormously added to their influence if they had themselves proposed that these Ministerial residences should be done away with, instead of forcing such demands upon the country.

Mr. SWANSON said a short time ago they had a discussion about increasing the honorarium, the object of which was to enable poor men of talent and ability to enter this House. Were those men expected to come here and live in palaces? Not at all. It was frugality, and not extravagance and waste, that should be insisted upon. The Ministerial residences ought to be kept in repair so long as they owned them, but they should get rid of these residences altogether, and thus relieve the country of an enormous expense. He did not think the country should be called upon to furnish these houses. In that respect all the Ministers should be dealt with alike.

Mr. BURNS had always been of opinion that the furniture of these residences had been purchased at a very heavy cost. The keeping of these old buildings in repair had been costly. It would be much better to vote a handsome house allowance, and get rid of the Ministerial residences altogether. The Ministers would then be able to select a house to suit their own convenience.

Major ATKINSON thought that the discussion should not be taken upon this item, but rather upon another occasion when the question of selling the Ministerial residences would come before the House. The item they were now discussing would have to be passed whether they determined to sell the residences or not, because they must be kept in repair. Had the Ministry desired to attain a sort of sham popularity, they might have come down with proposals to reduce their salaries, and strike off this vote, but for doing that they would have been laughed at by the country. The figures produced by the honorable member for Auckland City East were in-

accurate. The only residences that had been bought within the last fourteen years were that in Molesworth Street, which had cost something over £3,000, and that occupied by the Minister of Justice, which had cost about £2,000. He believed that both these would sell for what they had cost. He did not know the cost of the residence lately occupied by Sir Julius Vogel, but he thought it might be put down at £10,000; and two houses were rented, one at £150, and the other at £200 a year. From these figures, it would be seen that the residences did not cost nearly so much as the honorable member had said. While he did not desire to see things kept up at an extravagant rate, and recognized that it was right to bring expenditure within reasonable limits, he thought it was desirable that these residences should be maintained. One reason was that it was desirable to facilitate the acquisition of office by any honorable gentleman the House might think fit to occupy the position of Minister. It could not be expected that a Minister, on taking office, should be prepared to leave his family for one or two years; and on the other hand, it could not be expected, with but an uncertain tenure of office, that a Minister would go to the expense of furnishing a house in Wellington. No prudent man they could wish to have for a Minister would attempt to do such a thing. If the House desired their Ministers to live in lodgings—to have no habitations, and, as it were, to live as temporary tenants—it would be quite reasonable only to make the allowance; but in that case, he would not furnish a house, but would go into lodgings. He was quite certain that no increase in the allowance, even from £150 to £300, would justify any Minister in furnishing a house. He would certainly, when the question came before them, vote for the retention of the Ministerial residences, because, looking at the matter from a colonial point of view, he believed it would be wiser and more economical to do so. An honorable member had referred to the buildings as palaces, but that was absurd. In the house he occupied, there was not sufficient accommodation for his family, and he really had not a spare room to offer a friend.

Mr. HODGKINSON would vote for the sale of the Ministerial residences, unless the salaries of Ministers were reduced. Instead of the country being better served by its Ministers since the system of extravagance initiated by Sir Julius Vogel, it had been worse served than it ever had been before. It was desirable Ministers should set to the colony an example of retrenchment.

Sir G. GREY said his calculations were absolutely accurate. By the admission of Ministers, the residences cost £17,500, and the furniture in them would, he was satisfied, cost between £2,000 and £3,000, and that would make the total sum £20,000 for three residences. The depreciation in houses and furniture would amount to at the least 8 per cent. a year upon their cost, which was equal to a charge of £1,600; then there was £500 for repairs, which would be about the average; and gardeners, £200 or £300. That made the annual charge equal to £2,300 or £2,400, which, divided by three, gave the result

he had stated. He would ask the Committee whether he had not been justified in saying that these residences cost £700 or £800 a year each. It would be infinitely better to pay a good allowance to each Minister for rental. With regard to the statement that no houses were obtainable in Wellington, it would be found that the supply would equal the demand; but the course which had been taken would prevent suitable houses being obtained. Unless they were told how soon they would have an opportunity of discussing the question of the sale of the residences, they ought to decide the matter upon the vote, because members were going away day by day, and he would therefore persist in the motion he had made.

Mr. MONTGOMERY thought it was an unfortunate thing that they had to decide as to this vote now; for if the residences were ordered to be sold, this item would not be required. If there was any expectation of the debate coming on in a reasonable time, he should vote for this item.

Major ATKINSON said that the motion proposing the sale of the Ministerial residences would be the first on Thursday.

Mr. W. WOOD thought 8 per cent. was not a sufficiently large allowance to make for the annual depreciation of wooden houses and furniture. He thought 14 per cent. ought to be allowed.

Sir G. GREY's amendment was negatived.

Item, Public Buildings, as reduced to £23,515, agreed to.

Office of the Colonial Architect, £1,955.

Mr. SWANSON understood that the Colonial Architect was allowed to practise his profession privately, and he would like to know whether the officers of the department who were paid by the colony were allowed to assist him in that.

Sir R. DOUGLAS intended to move that the salary of the Colonial Architect should be reduced. Members could not get the House put in proper order, and perhaps if they reduced the Architect's salary he might pay more attention to it. If they could not get the condition of the House improved, they could get rid of the Architect. He would move that the salary be reduced by £5.

Mr. RICHARDSON would remind the Committee that the Colonial Architect had an engagement, and would be entitled to notice.

Mr. MURRAY would move that the vote be reduced by £470. That reduction would bring the cost of the department for a year to £1,000, for a part of the year had passed. He had been at some trouble to make inquiries in this matter, and he was in a position to state that a competent professional man was prepared to undertake the whole duties of this department for £1,000 a year. From the manner in which the Colonial Architect had performed his duties he did not appear to be the right man for the office.

Mr. BARFF agreed that there ought to be some indication given by the House of their disapproval of the manner in which the Colonial Architect had carried out his duties in connection with the Parliament Buildings. It would be better to appoint a messenger of the House to attend to the ventilation; for it appeared

that there was no inspection of the buildings or anything of that sort done by the Colonial Architect. If that officer had been compelled to sit in the House as long as members, and had suffered from headache caused by bad ventilation, as most of them had done, he would have taken more trouble to improve the ventilation, which at present was in a very disgraceful state. A reduction in the salary would be an indication that the officer should attend to his duties.

Mr. LARNACH thought the Architect might have been acting under instructions with regard to the erection of the building, and that the vote ought not to be interfered with until that officer had an opportunity of giving an explanation.

Mr. SWANSON informed the Committee that when it was agreed to erect these buildings, it was proposed to appoint a Commission to instruct the Architect; but it had been thought better to leave the whole responsibility with that officer, who would either get the credit or disgrace, as the result might justify. When the House first met in that building, members could not hear each other talking; and although many attempts had been made to improve its acoustic properties, yet it was still difficult and sometimes impossible to hear members. The Hall, as a place for people to consult or debate in, was a decided failure, and the sooner it was altered the better.

Mr. RICHARDSON desired to point out to the Committee, before they agreed to reduce the vote, that the Government had been instructed to call for competitive designs for a new Parliamentary Library, and that the architect whose plans were adopted, and who had to superintend its erection, would receive more in commission than the entire salary of the Colonial Architect. When new public buildings were erected after the fire in Auckland, an architect was employed there, and his commission amounted to a great deal more than the whole expense of the Colonial Architect's Department. Last year the Colonial Architect had supervised the erection of buildings which cost £70,000, and the ordinary fees of an architect on that would have amounted to a very large sum.

Mr. MURRAY said that architects in various parts of the colony superintended the erection of Government buildings. With respect to the erection of a new Parliamentary Library, he would point out that the money for it had not yet been voted, and he sincerely trusted it would not be voted. It was proposed to erect a library at a cost of £15,000, and that was beyond the means of the colony at present. The Colonial Architect did not go out of Wellington; and if he did it would not tend much to the advantage of the public service. He would instance the Milton Post Office, which was, when first erected, utterly untenable, as the water came in in all directions. The buildings throughout the colony designed by this office were of a piece with the Parliamentary Chambers, which in one way or another had cost some £15,000 during the last few years.

Mr. KELLY said it was not fair to blame the Colonial Architect for the construction of the

Chamber in which they were sitting, as he knew the former Speaker had a great deal to say to the matter. He would therefore like to know what amount of blame attached to each of these gentlemen before he condemned the Colonial Architect. It was very difficult to construct a public chamber in which a number of persons had to meet so that they could hear each other in all parts. He must say the Chamber of the House of Representatives was a great failure in that respect at first, but it had since been much improved. It would no doubt be possible to improve the ventilation, but it would cost, he believed, nearly £2,000 to have it properly done, and there was no vote on the estimates for the purpose. It would be necessary to have machinery for withdrawing the foul air and introducing fresh; and all applications of machine power involved expense.

Mr. BURNS had been told that there was an architect in the town who would undertake to properly ventilate the Chamber for £250, and still leave himself a fair profit.

Mr. SWANSON thought that some sort of reflection seemed to have been cast by the Minister for Public Works upon the architect who put up the buildings in Auckland; and he might tell the Committee that it might be well to get that architect to come down to Wellington and look at these buildings, when he would very likely improve them. There was not a building in the colony better constructed than the Custom House and Post Office at Auckland. This gentleman had also succeeded in effecting a change which was very much wanted, by making the officials there civil; for they were now brought face to face with the public, having to serve them over the counter instead of through a window. He was sure the legislation of the House had been often much affected by the impossibility of hearing what was going on in the Chamber. There was a vote passed the other evening by the casting vote of the Chairman which he was sure would have gone the other way if honorable members had only heard what was going on.

Mr. RICHARDSON explained that he did not cast the slightest reflection upon the architect who put up the public buildings in Auckland. On the contrary, he believed he was a most efficient man.

Mr. KELLY wished to draw attention to the state of the post offices throughout the colony. A thorough change was required in almost all of them. The accommodation at present was most insufficient; and it would be much better if the public could go inside the buildings and do their business at a counter than to have to stand outside at a small window in an inconvenient position and exposed to the inclemency of the weather.

Sir R. DOUGLAS explained that he had moved the reduction of the salary of the Colonial Architect by £5, in order to ascertain who was to blame for the faulty construction of the Chamber in which they sat.

Mr. RICHARDSON said the Colonial Architect was bound to answer any questions put to him by the House Committee; and he hoped the Committee would not take such a course as that proposed to get information.

Question put, "That the item 'Colonial Architect, £700,' be reduced by £5;" upon which a division was called for, with the following result:—

Ayes	...	...	...	18
Noes	...	...	...	27
Majority against	...	...	...	9

AYES.

Mr. Baigent,	Mr. Swanson,
Mr. Burns,	Mr. Takamoana,
Mr. De Lautour,	Mr. Teschemaker,
Mr. Fisher,	Mr. Thomson,
Mr. Hislop,	Mr. Wakefield,
Mr. Lusk,	Mr. W. Wood.
Mr. Montgomery,	
Mr. Murray,	<i>Tellers.</i>
Mr. Reid,	Mr. Barff,
Mr. Stevens,	Sir R. Douglas.

NOES.

Mr. Andrew,	Mr. G. McLean,
Major Atkinson,	Mr. Pearce,
Mr. Bowen,	Mr. Rees,
Mr. Button,	Mr. Reynolds,
Mr. Carrington,	Mr. Richardson,
Mr. Dignan,	Mr. Shrimski,
Mr. Gibbs,	Mr. Tole,
Sir G. Grey,	Mr. Tribe,
Mr. Hunter,	Mr. Wason,
Mr. Hursthouse,	Mr. Whitaker,
Mr. Kennedy,	Mr. Woolcock.
Captain Kenny,	<i>Tellers.</i>
Mr. Larnach,	Mr. Kelly,
Mr. Lumaden,	Mr. Pyke.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. C. Brown,	Mr. Manders,
Mr. Hodgkinson,	Mr. Bunny,
Mr. Seaton,	Mr. Sharp,
Mr. Sheehan.	Mr. Fitzroy.

The motion was consequently negatived.

Sir R. DOUGLAS would move, That the item "Out-door Inspector, £175," be reduced by £5, with a view to ascertaining who was in fault for the disgraceful state of the Parliamentary Buildings.

Mr. BURNS moved that the item, "Colonial Architect, £700," be struck out. That would exactly meet the views of those honorable members who thought this department could be done away with altogether.

Mr. RICHARDSON said that this officer had received his appointment under an arrangement made by the House itself. Four months of the present financial year had already passed; and as the salary for that period had already been paid, the item could not be struck out.

Mr. BURNS said that if the item "Colonial Architect, £600," should be struck out, it would be easy for the Government to place a sum on the supplementary estimates as payment of the balance of salary or compensation on the discharge of that officer.

Mr. BARFF said that since the discussion took place in the afternoon on this item, he had made

some inquiries, and from the information he had received he did not think so much blame was to be attached to the Colonial Architect as had been cast upon him. It appeared that there was a person employed whose duty it was to be in the building during the time the House was sitting; and that person had orders from the Colonial Architect to receive direct instructions from the Chairman of the House Committee as to anything connected with the ventilation of the House. He said this much for the purpose of toning down any remarks he had made as to the supposed neglect of duty on the part of the Colonial Architect.

Question put, "That the item 'Colonial Architect, £700,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	14
Noes	...	...	...	26
Majority against	...	...	...	12

AYES.

Mr. De Lautour,	Mr. Stevens,
Sir R. Douglas,	Mr. Swanson,
Mr. Fitzroy,	Mr. Wakefield,
Mr. Hislop,	Mr. Williams.
Mr. Lusk,	
Mr. Montgomery,	<i>Tellers.</i>
Mr. Reid,	Mr. Burns,
Mr. Seaton,	Mr. Thomson.

NOES.

Major Atkinson,	Mr. G. McLean,
Mr. Baigent,	Mr. Moorhouse,
Mr. Barff,	Mr. Ormond,
Mr. Bowen,	Mr. Reynolds,
Mr. Bryce,	Mr. Richardson,
Mr. Carrington,	Mr. Richmond,
Mr. Dignan,	Mr. Shrimski,
Mr. Gibbs,	Mr. Tole,
Mr. Hunter,	Mr. Whitaker,
Mr. Joyce,	Mr. Woolcock.
Mr. Kennedy,	
Mr. Larnach,	<i>Tellers.</i>
Mr. Lumaden,	Mr. Kelly,
Mr. Manders,	Mr. Pyke.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Hodgkinson.	Mr. Bunny.

The amendment was consequently negatived.

Sir R. DOUGLAS moved, That the item "Out-door Inspector, £175," be reduced by £5.

Mr. MANDERS thought they should pass the estimates as they stood, and thereby throw the responsibility upon Ministers for carrying out the assurances they had given. He did not think the estimates could be reduced to any extent commensurate with the time spent in discussing the various items.

Mr. BARFF called the attention of the Committee to the fact that an increase was proposed in every item for this office, and the Committee should consider whether they would agree to the increases, or would strike out the vote altogether and deal with the matter in another manner.

Mr. RICHARDSON said two of the officers, the Chief Draftsman and the Accountant, had been promised an increase of £25 a year, and they

were both very efficient officers. It was doubtful whether the services of the Assistant Draftsman would be retained all through the year, and it would depend upon the buildings undertaken. He hoped the honorable member for Marsden would withdraw the amendment to reduce the salary of the Out-door Inspector by £5, now that the subject had been ventilated.

Sir E. DOUGLAS desired to see that the work was done properly, and that the House should have some control over what was done with its own premises. However, he would ask leave to withdraw the amendment.

Sir E. DOUGLAS's amendment withdrawn.

Mr. WAKEFIELD would move, That the item "Chief Draftsman, £325," be reduced by £25. He intended to move that all the increases proposed in this department should be struck out; and he would like to see the whole department done away with. He would rather see £5,000 a year paid to first-class architects than have the work done by one officer, especially when he was allowed to do private practice; for when he attended to that, he would neglect the work of the colony. He would like to see some arrangement by which the Colonial Architect, whether the present officer or another, should be paid by commission, and should give the whole of his attention to the Government work. By that means they would have the work well done, instead of finding that a building, when finished, was something to be ashamed of, and had to be altered and out to pieces. The Minister said, if it was the wish of the Committee to have a new arrangement, that might be done. They would have nothing but fights about the office of Colonial Architect until it was abolished. At first the Architect received a kind of retaining fee of £250 a year and a commission upon works executed, and he had to find everything; but there was a department which cost £1,950 a year, and the Architect was still allowed to take private practice. There appeared to be a larger percentage in this department than in any other this year. The worst of all was that the work was not well done, for the simple reason that no architect could undertake to do it for £700 a year, and he had to supplement his income by private practice, to the neglect of Government work. He would move, That the item "Chief Draftsman, £325," be reduced by £25.

Mr. WAKEFIELD's amendment negatived.

Mr. MURRAY thought that, in the financial position of the colony, it was not likely that many new buildings would be erected; and they should be careful not to vote any salaries that might be unnecessary. He would divide the Committee on the question of the vote for the department, and record his protest with his vote.

Question put, "That the vote 'Office of the Colonial Architect, £1,955,' be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	20
Majority for	...	...	...	...	9

AYES.

Major Atkinson,	Mr. Moorhouse,
Mr. Barff,	Mr. Ormond,
Mr. Bowen,	Mr. Pyke,
Mr. Button,	Mr. Reynolds,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Rolleston,
Mr. Dignan,	Mr. Shrimski,
Mr. Henry,	Mr. Tawiti,
Mr. Hunter,	Mr. Tribe,
Mr. Johnston,	Mr. Wason,
Mr. Kelly,	Mr. Whitaker,
Mr. Kennedy,	Mr. Woolcock.
Mr. Lumaden,	<i>Tellers.</i>
Mr. Manders,	Mr. Gibbs,
Mr. G. McLean,	Mr. Richmond.

NOES.

Mr. Baigent,	Mr. Seaton,
Mr. J. C. Brown,	Mr. Sheehan,
Mr. Bryce,	Mr. Stevens,
Mr. De Lantour,	Mr. Swanson,
Mr. Fisher,	Mr. Teachemaker,
Mr. Fitzroy,	Mr. Thomson,
Mr. Hislop,	Mr. Wakefield.
Mr. Joyce,	<i>Tellers.</i>
Mr. Lusk,	Mr. Burns,
Mr. Montgomery,	Mr. Murray.
Mr. Reid,	

CLASS IX.—RAILWAYS.

Head. Office and Audit, Wellington, £4,617 10s.

Mr. MURRAY moved, That the item "Superintending Engineer, £800," be reduced by £100. The salary last year was £700, and the state of the finances was not such as to warrant an increase. Was not this gentleman Mr. Passmore?

Mr. RICHARDSON explained that this officer was general manager of all the railways in the colony worked by the Government. As Mr. Passmore's name had been mentioned, he might state that no man in the Government service had a more disagreeable task to perform than he had in the introduction of a new system on the various railways under his charge. Honorable members from Canterbury and Otago would know what odium attached to the gentlemen who had the management of railways in the earlier days of working them. The salary put down to the office was only the same as that of each of two officials in Canterbury who divided the work between them, and was less than the salary paid to the gentleman who held the same position in Otago. He was glad to have the opportunity of saying that Mr. Passmore was second to no engineer in the management of railways, and before he came to the colony he had thirteen or fourteen years' experience in other countries. Of course the Government were responsible that the duties were properly performed, and were the best judges of whether the person holding the office was fit for the position or not. He hoped the Committee would not reduce this salary, as it was not even now nearly commensurate to the duties which had to be performed.

Mr. MURRAY, after the explanation of the Minister for Public Works, would withdraw his amendment.

Mr. LUSK would take up the amendment and move it, for this reason, that the Committee was asked to pass this vote on account of the onerous duties which this gentleman had to perform, and the disagreeable nature of those duties. But his (Mr. Lusk's) experience was that the effect upon those who were interested in the railways was much more disagreeable through the bad management of the railways. No one travelling on the Auckland railways could say that they were well managed—not through any fault in the local management, but in consequence of instructions issued by the head office in Wellington. He had taken care to inquire into the matter, and had over and over again been told, "We cannot do anything. We have orders from Mr. Passmore, and we must carry them out." It was a mistake to manage the railways in all parts of the colony from Wellington; because there was no use in those suffering from mismanagement complaining to the local managers, and every one knew that no result came from applications to the head office in Wellington. He could say, on the part of the Franklin people, that the railway there, under the present system of management, was no benefit to the district. He therefore entered his protest against paying this extra £100 a year to the Superintending Engineer.

Mr. WHITAKER said it was unfortunate the honorable gentleman was not present when a discussion took place on this subject on a previous day, or he might have spared himself and the Committee the speech he had just made. It was then arranged that a Commission should be appointed during the recess to inquire into this matter, and the members of the Commission were to be Mr. Macfarlane, Mr. Swanson, and Mr. Reader Wood. With regard to the salary, he thought that the real question was, what was the proper salary for the office? They should separate the salary from the man. Superintending Engineers in other parts of the colony were getting the same salary as the one proposed, and it would be invidious to pay this officer less than was paid elsewhere. Whether Mr. Passmore was an efficient officer was another question, and some light would be thrown on that when the Commission to which he had referred had finished its investigations. He hoped the honorable member for Franklin would not, therefore, press his amendment.

Mr. BARFF did not agree with the Postmaster-General that the salary should be separated from the man. There were cases where it was impossible to do so; and he would remind the gentlemen who were about to make this railway inquiry, that this particular officer, to whom it was proposed to give £100 a year extra, did not believe in high salaries being paid to those beneath him. For instance, when he was at Grey-mouth, he wanted to get a traffic manager for £2 a week.

Mr. RICHARDSON said the honorable gentleman was entirely mistaken. The lowest salary paid to traffic managers was £300 a year.

Mr. BARFF said he saw it stated in a Grey-mouth paper that Mr. Passmore canvassed the whole district to find a man who would under-

take the duties for £2 a week; and that statement was not contradicted.

Mr. RICHARDSON said that the Government could not undertake to correct all that appeared in the newspapers in regard to this or any other department.

Mr. LUSK accepted the explanation of the Postmaster-General, and asked leave to withdraw his amendment.

Amendment by leave withdrawn.

Item, £4,617 10s., agreed to.

Northern Railways, £36,181 6s.

Sir R. DOUGLAS said the Government seemed to devote a great deal of attention to railways, to the neglect of main roads. On the previous day a main road connecting two provinces was thrown upon the counties, and he only rose to express the hope that the Government, while paying a deal of attention to the railways, would not throw the whole charge of main roads upon the counties.

Item, £36,181 6s., agreed to.

Southern Railways, £170,009 10s. 8d.

Mr. WASON wished to know the meaning of the item "Railway Renewal Fund—5 per cent. on receipts for twelve months ended 31st March, 1876, £8,947," which appeared in the Canterbury estimates. He saw no similar item under the Otago heading.

Mr. RICHARDSON said the estimates were virtually a reprint of the Canterbury and Otago estimates, and the Government had not sufficient knowledge of the exact necessities of each to alter them. In the case of Canterbury, a large renewal fund had already accumulated, as the lines there had been working many years. The whole question of renewal would have to be dealt with by the House in future sessions; but he doubted whether it would be decided to have a renewal fund for all the railways.

Mr. LARNACH inquired how many Principal Engineers there were, and how their services were distributed.

Mr. RICHARDSON said there was only one Principal Engineer—the gentleman whose salary had been discussed that evening. The other engineers would all come under the head "Railways in course of Construction," which had yet to come before the House.

Item, £170,009 10s. 8d., agreed to.

CLASS X.—MUNICIPALITIES, ROAD BOARDS, AND OUT-DISTRICTS.

Grants to Municipalities and Road Boards, £75,000.

Mr. MONTGOMERY said he objected last year to this sum being charged on the Consolidated Revenue, and he did so now on principle. However unpopular it might be, he should move that the item be struck out. It was not a charge which should be placed upon the Consolidated Revenue, particularly in the present condition of the finances.

Sir R. DOUGLAS agreed with the honorable gentleman, and hoped he would join with him in insisting that all Government land should pay rates. They did not want these grants, which were nothing more nor less than sops at which

the country districts got a nibble. What he complained of was that the out-districts were compelled to make roads which greatly increased the value of Government land, but they got not one penny in rates. All land should bear its burdens fairly. He objected to these grants; and if an income and property tax were necessary, he would have no objection to support it.

Mr. MOORHOUSE said it would be improper to omit the vote this year. During the recess the people would have an opportunity of testing the new scheme, and saying whether this system of subsidies should be continued.

Mr. WASON would support the amendment. When the scheme for the abolition of the provinces was first introduced, it was said that the outlying districts would reap the benefit from the increased votes which they would receive from this House. This was a sample of the assistance they were to receive. This was not assisting the outlying districts it was playing into the hands of the municipalities and Road Board districts that had already had their roads made and did not care about rating themselves. What was wanted was money to make roads into the outlying districts.

Mr. ROWE would support the vote. He felt astonished at the honorable member for Akaroa proposing to strike it off. Members representing wealthy districts might well advocate such a course; but if they resided in many districts which he was acquainted with, they would support this vote on principle. The honorable member for Marsden should have gone a little further, and advocated the Land Fund being made common property. Then they could do away with subsidies. The people in the South were enjoying property that really belonged to the whole colony. A greater blow could not be aimed at the Road Boards and Municipalities than to strike off this vote. It would settle the County system, and any system of local self-government they could introduce.

Major ATKINSON said this vote was carrying out the provision of the Abolition Bill. With regard to the policy of paying subsidies out of Consolidated Revenue, the principle was, to his mind, perfectly sound, and could be defended on good grounds. When this matter was under discussion last session he pointed out that the Road Boards should consider this question of subsidies—that it was for the people to decide whether they would have these subsidies or reduce taxation. The reason why these subsidies were given was, that there were a large number of persons in the community who were not possessed of real property, but who benefited directly by the making of roads in country districts and the improvement of the sanitary condition of towns. It was only fair that those persons should contribute towards the roads in the country districts, and the improvement of the towns. They could only get at those persons by indirect taxation, and handing over a portion of it in the shape of subsidies, or else set aside a special tax for the purpose. It was a perfectly sound principle that the whole community should contribute to these objects, and that the whole burden of maintaining roads and towns

in a thoroughly satisfactory state should not be thrown on real property.

Mr. REID was astonished at the reasons given in defence of this proposal to grant subsidies for the construction of roads and carrying out improvements in municipalities by means of taxation levied through the Customs. This argument would come with greater force with regard to education and other matters. This vote would be a far more legitimate tax upon property. How did those people live who had no property in the municipalities where sanitary improvements were carried out? Did they not live in houses, pay rents, and enhance the value of property? They paid taxes direct to enhance the value of property, and yet they were asked to pay a further sum to the Customs. The argument of the Premier was as weak an argument as could possibly be stated to this House. They led the Municipalities to believe that if they levied a high rate on property they would receive a subsidy from the General Government, and by this means induced a habit of extravagance—induced a desire to levy direct rates on property with the view of carrying out improvements. If the people knew they would have to pay the full cost, they would take care before they launched into expenditure. In addition to that, this would be a more expensive means of raising the money. The districts that were able to levy rates would receive contributions from the Consolidated Revenue, while those that were not in a position to levy heavy rates would still have to contribute through the Customs to those that were able to do so. The system would work unfairly. He was surprised to hear the honorable member for the Thames (Mr. Rowe) speaking in favour of such a proposal as this. It would play directly into the hands of the owners of property at the expense of the whole community. The local authorities ought to levy taxation themselves. He believed the great bulk of the people would reject such a proposal, as it would tend to maintain the Customs duties at an exorbitant rate in order that improvements might be carried out in localities where they were not required, and at an extravagant cost to the country. For those reasons he intended to oppose this vote, and he sincerely hoped the Committee would reject it. With the prospects the colony had at present, he did not think anything could be spared from the Customs revenue for this purpose. Such a course as that proposed would be highly prejudicial to the interests of the country; for maintaining high Customs duties must operate against the introduction of industries that would require to be initiated to keep the population in the colony.

Sir G. GREY took a prominent part last session in the discussion of this subject, and it was one that was now approached with some difficulty. The Premier was continually saying, while he was doing one thing, that he desired to do the direct opposite; but the honorable member had the power, and why did he not do as he desired? Nothing could be more delusive than the arguments used by the Premier. In this case, money was taken from the mass of the people in the form of taxation, and was returned to a few to

be spent by them. He had great sympathy with some honorable members on the subject. For instance, the honorable member for the Thames said that he paid £300 a year in rates to the Borough of Thames, and, that being so, he was naturally suffering under a grievance, and looked for relief. But why not let the people raise the money they wanted, and spend it? Let them judge of the sums of money they could spare for particular works. It was proposed to take from the people large sums of money against their will, and return it to them to expend, when perhaps they did not want to expend it at all in the year in which it was returned to them. Raising money through the Customs was a most expensive mode of taxation. Such a proposal was never made as that which was now offered to the public of this country—namely, whether they wanted money or not in any particular district, they were to have a certain proportion of money paid to them in addition to that which they raised. It really meant this: Certain rates were raised in a municipality, and then the people of the colony were to contribute so much to the wants of that municipality. For instance, he lived on a remote island; and if the honorable member for the Thames wanted so much money to be spent in the Borough of Thames, every person living on the island would have to contribute so much to the necessities of the Thames. Commerce ought to be relieved from all duties that pressed upon it; for, if they imposed duties, trade and commerce were cramped in every direction. All restrictions on commerce should be removed, and the Customs duties be made as light as possible; and the people themselves should be allowed to raise sums when they wanted to disburse them. If the Premier had been speaking of an income-tax, he would have understood it to a certain extent. The honorable gentleman said there might be people in a borough who contributed, comparatively speaking, nothing to the necessities of the place, and it was right to get at those persons through the Customs duties. That did not apply to rich men who had no rateable property, but who contributed very little to the Customs—indeed, they did not contribute more than others, because the duties were on necessities. Last year he protested against this as a delusion, and he hoped that all who agreed with him would resist a charge of this kind being placed on the revenue of the country. He was certain that next year they would have a majority upon this subject, and that a fair system of taxation would be established throughout the country, by which the population would be compelled to pay taxes in proportion to the advantages which they enjoyed, instead of the masses of New Zealand being taxed for the benefit of the few. He would support the motion of his honorable friend the member for Akaroa.

Mr. GIBBS had opposed the principle last year, because he considered it unfair to take from the Consolidated Revenue to give to municipal institutions that which they did not really require. But the position was now very different. By the present proposals of the Government, burdens were thrown upon municipalities,

and they would be no great gainers by the subsidies. They would now have the hospitals and destitute poor to provide for. As far as he could see, there was no way of getting over the question of paying these subsidies, except by making some altogether new provision. The principle of subsidizing local institutions out of the Consolidated Revenue was nothing new: they had been doing that for years by the capitation allowances to provinces.

Mr. SHEEHAN would not say much upon the question of Customs taxation, because it was perhaps wide of the question before the Committee. If the House could see its way to making substantial reductions in the Customs duties, there would be no occasion to build up any artificial scheme for securing to this colony the whole trade of the South Pacific. It would come as the natural consequence of the colony being able to send out goods at a cheaper rate than could be done from other markets. He understood the financial aspect of the policy of Abolition was that it was an outlying-district policy. But look at these estimates. While voting away millions, there was not a penny provided as contribution for local public works in out-districts. Could there be a greater climax to the great policy than that? It was by Abolitionists an often-quoted phrase, that "outlying districts;" but he thought their policy, as respects the outlying districts, might be called an out-and-out lying policy. He would take the city of Auckland as an example of what was proposed to be done. He contended that it was simply iniquitous to propose to subsidize that city so largely, while there were out-districts of the province which had no means whatever of carrying on local works. The city of Auckland had for years been living upon what were really the revenues of the province. The Municipality had, in that city, public reserves of fifty-four acres, which were bringing in thousands of pounds every year, and which in time would, he believed, be able to maintain the whole cost of municipal government; and all that time the people of the country districts had not even means sufficient to keep their roads in repair. And now it was proposed to subsidize this wealthy Municipality out of the Consolidated Revenue. There was no wisdom, no science, no principle in such a distribution of the public funds. Another point which would come up more prominently on another occasion, but which he would just touch upon now, was that these matters had not received proper consideration from the Government. Wealth and means, of course, centred in population. Every one knew that the farther you went from the centres of population the worse were the roads and the fewer the bridges, whilst the necessity for local taxation was greater. The Government was now going to distribute this money to Road Boards, without any regard to special cases. Under "The Payment to Provinces Act, 1870," the Superintendent was empowered to classify the road districts of his province in such a way that those which were farthest distant from the centre received most money. The money given under that Act was to be expended

on new works only; and the result was that even then some of the suburban Road Boards of Auckland could absolutely find no new works to construct to entitle them to a contribution, and they had to apply to the Provincial Government either to divert the intention of the Act or find some new work to be carried out; while all this time there were districts in the country which were absolutely languishing for want of money—districts where for years men had been compelled to carry their produce on their backs to the coast in order to ship it to Auckland. The proposal to perpetuate that system was a proposal to perpetuate the greatest offence that could be charged against the provinces. He hoped the Government would not persist in this proposal to give any portion of the Consolidated Revenue to these highly-endowed municipalities. Some municipalities, no doubt, had no endowments; but the wealthy municipalities had no claim to these subsidies, and the people only asked for it because the Government had been, to his mind, wicked enough to promise it to them. If it were possible to insert any words in the description of this vote, he would like to insert the word “un-endowed” before “municipalities,” and then it would be far more satisfactory. Ministers had spoken of outlying districts as if they were orphans; but it would not be long ere those districts realized the fact that the General Government was a very hard stepmother indeed. By the time they had had a year or two's experience of the distribution of money for public works under the Government proposals, he ventured to say that, if those districts did not wish to return to the old provincial system, they would at all events think they had not much benefited themselves by changing “King Log” for “King Stork.” He hoped the Committee would compel the Government to change the direction of this vote, so that it should not go to assist wealthy towns while out-districts were left in a state of poverty.

Mr. GIBBS said the honorable gentleman was misleading the country in one of his remarks. Those towns which had large endowments were to a certain extent relieved of taxation, and therefore would receive subsidies only on such rates as they collected.

Mr. SHEEHAN said that was no answer to his argument. He drew a distinction between the endowed and unendowed municipalities. If the wealthy municipalities would put all their funds into one common purse, they would then be entitled to draw on the Consolidated Revenue; but up to that time these endowments must be looked upon as grants from the public estate, and every penny received by the municipalities from them came from the revenue of the colony.

Mr. BOWEN said the Government proposal was to give the Road Boards and Municipalities some of the revenues raised by indirect taxation. At present, their revenue was entirely due to direct taxation. The only machinery for raising money by indirect taxation was in the hands of the Government. A great part of the Customs revenue was collected by taxation of the towns; but in towns where a large population was as-

sembled, the people could not raise as large a revenue as was necessary for urgent sanitary purposes by direct rating. It was only reasonable, therefore, that they should be enabled to use the machinery by which taxation could be most easily and cheaply levied; and with this view the rates are to be subsidized to a certain extent out of revenues raised by indirect taxation. The question of enabling local bodies to use this machinery for raising indirect taxation had been very much discussed in England; and it was far more necessary in a new country, where it was exceedingly difficult to raise the money necessary for local wants by direct taxation. It was quite true, as stated by the honorable member for Collingwood, that in one shape or another local taxation had been subsidized by means of money raised by indirect taxation, or, in other words, from the ordinary Consolidated Revenue. Money had been voted by the Assembly for that purpose every year.

Mr. THOMSON said the chief argument which had been used against this vote was that it was wrong in principle. He admitted that to the fullest extent, and believed that many of the measures this House had been called upon to pass had very little principle indeed in them. The Road Boards, in Otago at least, had however been accustomed to be subsidized of late years, and they might be placed in difficulty if the subsidy were not continued. Considering the state of the finances of the colony, he had no hope that Parliament would be able to continue to subsidize Municipalities and Road Boards, but the subsidies should be continued as long as the finances permitted. It had been said, “By all means let us reduce taxation;” but no proposal to do so had been submitted to the House.

Mr. MURRAY said this proposal of the Government was a remnant of Vogelism—a policy of giving more to those who had much, and that at the expense of the poorer classes of the community. It meant that the bread and sugar and necessities of life of the poorer classes were to be taxed in order to save the wealthy. The policy was as unsound in principle as it was unjustifiable. It was a deception, and he would be prepared to show on another occasion that there would not only be no chance whatever of reducing taxation, but that the revenue would not meet the ordinary expenditure. In the face of this, he would ask if the Committee had been shown that it could be paid? It could only be paid in one of two ways, either by increasing the debt of the colony or by sacrificing our landed estate. It had been said by the honorable member for Collingwood that this money had been paid in previous years; but that was not the case. It certainly had been paid to Road Boards, but not to Municipalities. Those living in outlying districts were often in such a position that they were not able to rate themselves, for all their means were wanted for the earlier struggles of colonization; but he knew cases in which this system of subsidies had been used by Road Boards not for the purposes of colonization, and not for opening up roads. He knew of wool-sheds having been built and the

Government paying a subsidy for them. Was it right, then, to tax the bread of the people in order to make the rich richer and the poor poorer?

Question put, "That the vote, 'Grants to Municipalities and Road Boards,' be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	37
Noes	...	...	...	12
Majority for	...	...	...	25

AYES.

Mr. Andrew,	Captain Kenny,
Major Atkinson,	Mr. Larnach,
Mr. Baigent,	Mr. Lumsden,
Mr. Barff,	Mr. Moorhouse,
Mr. Bowen,	Mr. Ormond,
Mr. Brandon,	Mr. Reynolds,
Mr. J. C. Brown,	Mr. Richardson,
Mr. Button,	Mr. Richmond,
Mr. Carrington,	Mr. Rowe,
Mr. De Lautour,	Mr. Shrimski,
Mr. Dignan,	Mr. Stevens,
Mr. Fisher,	Mr. Teschemaker,
Mr. Fitzroy,	Mr. Thomson,
Mr. Gibbs,	Mr. Tole,
Mr. Henry,	Mr. Whitaker,
Mr. Hunter,	Mr. Woolcock.
Mr. Johnston,	<i>Tellers.</i>
Mr. Joyce,	Mr. Kelly,
Mr. Kennedy,	Mr. Pyke.

NOES.

Mr. Burns,	Mr. Sheehan,
Sir R. Douglas,	Mr. Tawiti,
Sir G. Grey,	Mr. Wason.
Mr. Hislop,	<i>Tellers.</i>
Mr. Reid,	Mr. Montgomery,
Mr. Rolleston,	Mr. Murray.
Mr. Seaton,	

The vote was consequently agreed to.

Mr. SHEEHAN would move that progress be reported, in order that he might be enabled to say a few words respecting the vote which had just been taken. He wished to say that he and several others, in going into the lobby with the "Noes," had done so in the hope of being able to save for the Highway Boards the money now proposed to be given to the Municipalities. He hoped, when the Financial Arrangements Bill was before the House, to be able to make certain alterations which would meet the case. Having said this, he would withdraw his motion.

Vote, Defence and Defence Contingencies, £30,000, agreed to.

LAND FUND.

Crown Lands Department, £10,838 15s.

Mr. MURRAY would like to know why the salaries of some of the officers in this department were to be increased. He observed that the salary of the Commissioner of Crown Lands in Canterbury was to be increased from £500 to £700, and in Dunedin from £600 to £700. Considering the financial state of the colony, he thought some explanation was needed as to why these increases were made.

Major ATKINSON said that it was not intended that these amounts should have come down as they did. It was intended that the amount should be £600 in each case. These officers filled important positions, and the Government thought they should receive £600 a year each.

Mr. GIBBS observed that the expenses under the heading "Commissioner of Crown Lands, Nelson," had been increased by £262 10s., in addition to the pension to be paid to the late Commissioner of Crown Lands, who had been called on to retire from the service in spite of his own expressed desire to be permitted to continue to perform the duties of his office. The chief reason for his being asked to retire was, that he was unable to travel. This was merely an excuse. The real reason was, that the gentleman who was now appointed was displaced from a position he had held for very many years by that outcome of Provincialism, the adoption by the Provincial Council of Nelson of a system of responsible government; and it was to find a position for this gentleman that an old and willing servant was to be made a burden by being placed on the pension list. In addition to this, he found that a clerk was to be placed at the disposal of the new Commissioner. He should move, That the item "Clerk to Land Commissioner, Nelson," be struck out.

Amendment negatived.

Item, £10,838 15s., agreed to.

Receivers of Land Revenue, £1,253 6s. 8d., agreed to.

Education, £103,884.

Mr. REID said it would be far better to charge this against the Consolidated Revenue, since there was such a large surplus available. That would relieve the subsidies to be paid to the Municipalities and Road Boards.

Major ATKINSON said that if he could have seen his way to charge the sum against the Consolidated Revenue, he would not have placed it here.

Mr. SHEEHAN asked what provision was to be made for education in the Province of Auckland. He would like to know whether it would be such as would relieve the province in some part from the taxation now levied for educational purposes.

Major ATKINSON thought this sum would be sufficient to relieve Auckland from exceptional taxation; but if it were not, the Government would ask for an additional sum when the supplementary estimates were brought down.

Item, £103,884, agreed to.

Charitable, £17,135.

Mr. REID thought the sum for charitable purposes in Canterbury, £12,000, was very high. In Otago, where the population was much more scattered, the amount asked for was only £7,000.

Sir G. GREY pointed out that the amount proposed to be given to Auckland, as compared with that to be given to Canterbury, was very small.

Major ATKINSON said the items were taken from the provincial estimates. If the amount for Auckland was not sufficient, the Government

would be happy to accept any information the honorable gentleman might give them, and ask for a supplementary vote.

Mr. MONTGOMERY hoped that the Premier would not permit another year to pass without making the necessary provision. The children of Auckland should be cared for as well as those of any other part of the colony.

Mr. DE LAUTOUR said they all knew that Auckland had little money at its disposal, and that it had not been able to do justice to itself for the last few years. He was sure the House would support a liberal vote, to bring Auckland up to the status of the other provinces.

Item, £17,135, agreed to.

Museums, £3,100, agreed to.

Surveyor-General's Department, £85,025.

Mr. J. C. BROWN said that, as this was an entirely new department, they ought to have some information in regard to it.

Major ATKINSON said the honorable gentleman was under a great mistake. Surveys had been carried on in the colony for many years past. What was new was, that a Surveyor-General had been appointed in accordance with an order of the House last year, the object being to bring the surveys of the colony under one uniform system.

Mr. REID hoped no attempt would be made to reduce the vote, as nothing would be gained by reducing it. In Otago, they attempted to curtail expenses, and the effect was to create confusion and delay. But he would like to know how it was intended to introduce reforms in the Survey Departments if all the capable officers were to be taken from the different parts of the colony to be placed in the Surveyor-General's Department. Some excellent officers had been taken from the Otago Survey Office, and there was no doubt that without their services the province would be put to great inconvenience. While they were desirous of establishing a Surveyor-General's Department, they must not forget that there were in other parts of the colony officers who had grown up with the service and given great satisfaction, and it was not desirable that they should be taken from those parts of the colony simply because the Colonial Government could offer them an extra rate of pay. Whatever value they would be in the Surveyor-General's Department they would be to the provinces, and they should be paid accordingly; and he hoped inducements would not be held out to them to leave the provincial service.

Sir R. DOUGLAS said there were several deserving officers connected with the Survey Department in different parts of the colony. He would like to know if their services were to be retained.

Major ATKINSON entirely sympathized with the honorable member for Taieri in the desire expressed that they should not lose the services of good officers. The Government had no intention of crippling the Survey Departments. The person appointed Surveyor-General came from Otago, and that was a sufficient guarantee that he was an efficient and experienced officer. The object of the Government would be to make

the local Survey Departments more efficient. There would be no lack of employment for competent officers. Any officer, whether connected with the Provincial Governments or the General Government, would obtain a position according to his merits and length of service.

Captain KENNY pointed out the smallness of the sum put down for surveys in Marlborough, which he believed would be insufficient. There had been an amount of economy exercised all through the estimates in regard to Marlborough, which would not strengthen the efficiency of the public service in that province. Officers holding the same position as officers in other provinces were not receiving so much salary; in some cases, the difference was 25 per cent. and even as much as 50 per cent.

Major ATKINSON said, if any error had crept in with reference to the Commissioner of Crown Lands at Marlborough, the Government would take steps to rectify it.

Item, £85,025, agreed to.

Native Land Court Department, £6,077.10s.

Mr. SHEEHAN would call attention to a suggestion which had been made by the honorable member for Christchurch when he held the office of Registrar-General of Lands—namely, that the survey of the Native lands should be carried out free of charge to the Native owners. It would cost little to do so, and it would be the means of bringing all the lands into the Court, and would tend to open up the country for settlement by private enterprises. He had known an instance of a block of land having been surveyed and put into the Court, and the whole of the proceeds of the land had been swallowed up in survey fees. The operations of the Court had been largely retarded through the property of the Natives going for cost of surveys. There was no comparison between the cost of having all the lands surveyed and the benefit the colony would derive through having those lands Crown-granted. The honorable member for Christchurch deserved credit for the suggestion he had made, and it was one which the Government would do well to take up.

Mr. MOORHOUSE said that the suggestion referred to he had made to the Government in 1872, and he had repeatedly brought forward the matter during the last four years. He fully indorsed the remarks made by the honorable member for Rodney. He believed, as a matter of policy, the best thing the Government could do would be to proclaim to the Native owners of land that all the expenses attending the bringing their estates under Crown grants would be made a charge upon the colony. He had had frequent communications with the Natives and with persons well acquainted with Native matters, and he could say that the Natives had a horror of surveys which could scarcely be conceived. The Government would effect much good if they would facilitate the giving of a perfect title to the Native owners free of charge, and thus obviate the necessity of their going to the usurer to borrow money, and so burden their estates that they were at last compelled to sell them. He held the opinion, as a matter of Native policy, that the best thing to be done with the

Native lands would be to allow the Natives to do what they liked with them. He thought it would be well to have some provision whereby the European purchasers should be obliged to pay an assessment on the value of the Native lands into the Treasury. That would be a means of raising a revenue out of the lands without incurring the inconvenience of making a direct reduction in the price obtained by the Natives for the land. He believed the Natives would obtain the same price for the land in one case as in the other; and he believed the Natives would be more gratified if such a system were adopted. That was an opinion which he had entertained for many years; and a gentleman intimately acquainted with the Native character generally agreed with him in that opinion.

Major ATKINSON said that the question raised was one of very considerable importance. He had given the matter some consideration. He looked upon it as of importance that the surveys of Native lands should be undertaken by the General Government direct. The suggestion of the honorable member was worthy of consideration. The way in which the charges might be made was a matter that required further thought. He did not think the colony was in a position to survey the Native lands throughout the colony without making a charge. The charge might be made on the person buying the land. He would be in favour of doing away with the licensed surveyors altogether.

Mr. ROLLESTON thought the Government might appropriate a portion of the land revenue for the purpose of defraying the cost of surveying Native lands.

Item, £6,077 10s., agreed to.

Recurrent Liabilities, £2,773 10s., agreed to.

Miscellaneous, £52,334, agreed to.

The Government Insurance Account, £11,805.

Mr. REYNOLDS thought that the colony was likely to become a heavy loser by this department, unless better management was introduced. He was able to say that several lives which had been refused by other offices had been accepted by the Government, and there had been too much of what he would call carelessness in this respect. He knew of lives having been accepted which he was sure no office in the United Kingdom, or in any part of the world, would have taken—lives of men of dissipated habits—and several losses had been sustained by the department in consequence. He hoped the department would receive considerably more attention at the hands of the Government than it had received hitherto.

Major ATKINSON could assure the Committee that the department had received a very great deal of careful attention at the hands of the Government, and it was, he believed, a very efficient department. If the honorable member knew of any cases of carelessness in accepting lives, he hoped he would bring them under the notice of the Government, so that they might be inquired into.

Mr. REYNOLDS would be glad to do so.

Item, Government Insurance Account, £11,805, agreed to.

Native Reserves Account, £1,337, agreed to.

Public Trust Office, £1,220.

Mr. STEVENS asked whether the office was self-supporting, and what the rate of commission charged was.

Major ATKINSON thought the office was rather more than self-supporting. The rate of commission charged was 5 per cent. on all receipts.

Item, Public Trust Office, £1,220, agreed to.

Mr. MURRAY asked whether the vote of £48,000, which had been passed for Road Board grants, was for six months only, and if it meant that they were to receive £96,000 a year.

Major ATKINSON replied that it was for six months.

Progress was reported, and leave given to sit again.

FINANCIAL ARRANGEMENTS BILL.

Major ATKINSON moved, That Mr. Speaker leave the chair, in order that the House might go into Committee on this Bill.

Mr. SHEEHAN.—When the second reading of this Bill was before the House, it was understood that, inasmuch as the second reading was taken without debate, such of us as wished to speak upon the subject should have an opportunity of doing so when going into Committee. I do not propose to occupy the time of the House at any great length upon the subject, but I am desirous of expressing my opinion upon the principles of the measure, and to indicate certain alterations which I propose to make in Committee, because I hold that it will save time if we indicate now what course we intend to take in Committee. I am not now speaking in any spirit of opposition or as a member of the Opposition party. I wish for the nonce that I could doff the sober, modest garments of the Opposition, and put on the gilded and flowing robes of the Government party, in order that the Government might be satisfied that in the objections I have to this measure, and in the suggestions I shall make, I am seriously endeavouring to make this measure better than it is, and more suited for the country. This Bill is one of the outcomes of the Abolition proposals of the Government. For the last two or three years Centralism and Provincialism have been in opposition in the political market. The cry has been "Codlin's the man, not Short." We are entitled therefore to look at the proposals of the Central party, and none the less so because it would appear that, by the decision of the majority of this House and the Assembly, it is probable the proposals of the Abolition party will become the law of the land.

Sir G. GREY.—No.

Mr. SHEEHAN.—I am speaking of the question as it stands now. Whether it may be, as I believe it will, that the main Act upon which all these others turn will be held to be *ultra vires* or not, of course is at present still debatable. Until that time arrives, the position which every member of this House must take up is one of loyal acceptance, as long as this House sits, of the decision it has come to. I hope that no objection will be taken to a discussion upon this measure. There had been for some time past somewhat

of impatience on the part of the House to listen to any debate—an impatience not always well displayed or well founded. It has been attempted to be made out that the delay in business has been wholly and solely attributable to the action of the Opposition; but I would ask the House to bear in mind that we have had two Ministerial crises this session. Not long after the session opened, we had the startling announcement that the person who had held the office of Premier for many years was leaving the Ministry and going home as Agent-General for the colony. That led to a reconstruction of the Government, and a Government was then formed which in consequence of some oversight made it necessary to have another shuffle of the cards, and another Ministerial crisis. We have now the third Government of the session in office, and directing the business of the House. That was not the only delay. This very measure is proof positive of the fact that a good deal of the delay which has taken place is mainly attributable to the Government themselves. This is the second Financial Arrangements Bill which has been brought before this House, and we have had a second Counties Bill and revised estimates. In fact, we have really been trying to do in one session the work of two. I protest further against the attempt to shorten discussion on this point, on this ground: that those who advocate abolition, who contend that we can govern the whole colony from Wellington, have no right to shirk one of the first consequences of abolition, which is the enormous increase of business and the extension of time which will take place. This session cannot be taken as any indication of what the length of future sessions will be, because we have as yet had only what may be called the first few heavy drops of the thunder-shower of work which will fall upon this House when abolition comes into effect. The Abolition measure, by providing for the maintenance of the old state of things during the past year, has kept out of this House this year a large amount of business that would otherwise have been necessarily brought before us; and so far from shortening the length of subsequent sessions as compared with this, I believe it will be found that every successive session will henceforth be considerably longer than its predecessor. I do not take so gloomy a view as to imagine that we shall be in session all the year round, but I believe that for the next few years each session will occupy at least five or six months. The Government should settle down to that fact, and not allow their political temper to lead them to argue that the main consideration is to do the work, entirely regardless of the consideration that it should be done well. I do not profess to be a financier, but, from what I have seen in this Parliament during the last four or five years of discussions on finance, I am inclined to believe that we can get little good out of them. I have realized the truth of the old adage, that there is nothing more deceptive than facts except figures. One side of this House contends that we are on the eve of financial ruin, and another holds that we are in a most prosperous condition. Now, if private property were con-

cerned, and the former were the case, the Bankruptcy Court would speedily settle the matter; but, owing to the fact that we are dealing with the property of the colony, I believe it will remain a moot question as to how much we owe, how much we can spend, and whether we shall not in the long run considerably outrun the constable. In the measure now before the House, there are two or three points of a financial kind which are apparent even to those who have not made finance, especially colonial finance, a study. I will first of all deal with the proposition which is made in clause 8 of the Bill, which provides for subsidies payable to River Boards, County Councils, and Road Boards. In criticising that provision, I shall lay down this proposition to start with: that if the colony is to be called upon to make a change in its government, that change ought to be for the better. That proposition is one which, I think, will receive the assent of both sides of the House. I will also lay down this proposition: that if to defend the change which is now being made, and to cause it to receive support in the country districts, the Government make certain promises and give certain assurances, they are bound to show now that those assurances and promises have been fulfilled. Now, Sir, I contend that the principle embodied in clause 8 of the Bill is directly at variance with the promises and assurances held out by the Government for the last two years. There are many of us, who have been here for nearly five months, who will go away with a hazy notion of what we have been doing while we were here; and if that be the case with us who are on the spot, with access to the Government records and papers in reference to the affairs of the State, how much more excusable is it that people in the country districts should be ignorant! I say that the people in the out-districts of the colony are looking forward to abolition as a sort of political millennium. Those people believe that when it comes to pass, the money will flow copiously to them, wherewith they may make their roads and bridges, and relieve them from the taxation they have been accustomed to bear for many years past. I say that that belief has been warranted by the assurances made by the Government. We have been told that such an immense saving will be effected by the abolition of Provincialism—that from that source alone it would be possible to devote a large sum to the outlying districts. But I think that all the money so saved has gone in two items—namely, in the increase of payment to members of the House, and in the purchase of the two Government steam vessels and the cost of keeping them afloat. Sir, for two or three years previous to the bringing down of the Abolition proposals, this House had been accustomed to vote a sum of money as subsidies to the Road Boards of the colony. Now, the distribution of that money was made upon a fair and just principle. It went upon this principle: that in proportion to the distance of the Road Boards from the centre of population, in proportion to the sparsity of their population, they would

receive a larger share of the vote. The House will pardon me if I briefly refer to the reasons why such a proposal was necessary when this vote was first given. We must bear in mind the fact that in this colony settlement began from eight or nine distinct centres, and that for some years a very small radius would have covered the area of settlement round the centres of population. In the Province of Auckland, for many years after the provincial institutions came into force, nine-tenths of the revenue was spent within a radius of thirty miles from the town. The reason of this was obvious, as outside that radius the country was hardly settled at all. The land was then mainly owned by the Natives, and it could not be acquired by purchase; and although there were a few Europeans settled here and there, they were in such small numbers that they could not successfully make any demand on the Provincial Treasury for roads and works. But that state of things is altered now. The area of settlement has been gradually extending, until now the population of Auckland is scattered nearly over the whole of the provincial area. Within that area of twenty or thirty miles there are roads and bridges of the best description, and all the requirements of the settled parts of the province have been fairly met; and they can hardly be said—excepting on the northern side—to be outlying districts which require any special aid from the Colonial Government or the colonial revenue. For the last two or three years the justice of that proposition was admitted, and the money which this House voted was distributed on a principle which classified the Road Boards according to their requirements, and the result was that a Road Board of a suburban character received 5s. in the pound on its rates, the outer Boards 10s. in the pound, and those in remote districts sometimes received a pound or even a larger amount. I say that that was a fairer and more reasonable distribution of the vote than that which the Government now propose. I say that this is not a change for the better; and I am sure that when this proposal comes to be thoroughly known by the people of the country districts, when they come to understand that they are about actually to give up that which they have been receiving under the original grants to the Road Boards, they will be dissatisfied. Another objectionable feature in this Bill is the provision it proposes to make for Municipalities. I have already referred to that matter in Committee of Supply, but I may be pardoned for referring to it very briefly again. Now, the Corporation of the city of Auckland voluntarily, in the year 1870, gave up all claim upon the provincial revenue, and admitted that it had not a right to demand a contribution for roads and works as against the province. Now, the colony has taken the place of the provinces, and I contend that the municipality ought in the same manner to waive its claims against the colony. I contend that the poverty-stricken districts which exist in the colony should share alike in the public endowments with the rich ones if those rich districts are to share equally out of the public revenue. If the Bill contains

no more objectionable feature than that, it is, to my mind, sufficient to prevent the House from allowing it to go into Committee. I maintain that the House would be perfectly justified in throwing out the Bill, unless the honorable gentleman in charge of it will give the House to understand that he intends, if possible, to follow the footsteps of his predecessors and contribute from the revenue, both ordinary and land revenue, in some proportion to the needs and necessities of the districts to which this revenue is about to be paid. Unless that assurance be given, I can say to the honorable gentleman, with all sincerity, that the Government have done themselves possibly the greatest harm they could do. They will entirely remove any faith which the country districts may have had in them, and they will have made it apparent to those districts that the cry raised in favour of Abolition as against Provincialism, and the promise to give the outlying districts their just rights, were a cry and a promise, nothing more. Now, Sir, I come to another objectionable feature in this measure. I have often heard it said by eminent financiers, in this House and out of it, that the greatest work which this colony ever did was to impose restrictions upon the borrowing powers of the provinces. Up to a certain period of our history, the provinces had the power to borrow. I do not wish to repeat arguments that have been made use of so frequently, although it is hard, in a session of five months, to avoid repeating well-worn truths; but I defy the most ardent advocate of central government in this House to prove the contrary of the assertion I now make, and that is, that the provinces dealt quite as wisely, quite as fairly, and quite as economically with the money placed at their disposal for making roads, constructing bridges, and carrying on immigration as this House has done. I will give a case in point. Look for a moment at the enormous sums we have spent on immigration. The Province of Auckland, I find, has brought out 10,000 immigrants of a superior stamp, men the great bulk of whom still remain in the province, and comprise some of its leading citizens, its leading farmers, and its leading business people, while a great many others have found their way into other provinces, and form a respectable portion of the population of those provinces. When the question of immigration came before this House in 1874, I had occasion to inquire into the cost of bringing these people out, but I found that the Treasury books contained no record of cost to the province. The people paid their own passages, and, beyond the cost of maintaining the agency at Home, the province was put to no expense whatever. But look at our immigration departments here, our Agent-General, our departments at Home, our assisted-passage system; and what is the result of it all? Is there one member of this House who will venture to contend that one person out of every fifty brought to the colony has permanently settled in it? Has one person out of every fifty introduced to the colony during the last five years settled down amongst the population and taken up land? I say emphatically, No. Well,

we chose to stop these borrowing powers; and what has happened since? This House has not called into existence a single institution, whether it be a Road Board, a Borough Council, a county, a shire, a Board of Works, a Board of River Conservators, to which it has not given power to borrow hand over hand. The Provincial Councils created under the Constitution Act could not be trusted to borrow; but these new institutions which we are about to charter are to be allowed to borrow in the most indiscriminate fashion. It appears impossible to do a single thing now, except it be to borrow money. I remember that, about two years ago, this colony was called "The Great Loan Land!" In common with other people, I laughed at that title then, but I am sorry to say that the time has come when that jocular phrase has begun to acquire a bitter significance, the full effect of which will be made apparent to the people before many years have come and gone. We were to have one Government, one common purse, the abolition of all existing limitations and restrictions. The people were to be made to feel that they were one people, entitled to the same rights and considerations. And now, what do we find? That not one of these brilliant promises is to be realized, and that, in order to enable the government of the Province of Auckland and two or three other provinces to be carried on, we are to "fly kites" as usual. We are to have recourse to Treasury bills, and to go into the discount market. Sir, the time is not far distant when we shall be in the position of those expectant young gentlemen who live fast lives in view of a possible income from entailed estates—we shall have, in discounting our bills, to put up with a large amount of bad wine and worse cigars. With reference to section 24, I will simply call the attention of the honorable gentleman in charge of the Bill to the fact that it is, I think, insufficient for the purpose for which it was drafted. It appears to be framed as an appropriation clause, and deals with all revenues now raised by Provincial Ordinance; but it omits from its provisions several important details with reference to the taxes which ought to be inserted. For instance, it makes no mention of the fees charged for inspection of sheep, cattle, and other stock, and landing and branding fees. There is another clause to which I have a strong objection. It is the 9th clause, which provides that "The person holding the office of Superintendent of each province at the date of its abolition shall be entitled to receive, during the time for which he would have held such office had such province not been abolished, the same salary as that which he would in such case have been entitled to receive." I contend that that provision is not fair and just, and ought not to have been inserted. I hope those honorable gentlemen holding seats in this House who are Superintendents of provinces will refuse to accept such a proposal. If abolition be a just thing, if it be a desirable thing, there is an objection to this proposal, and it is this: that the office is a political office, and that those who hold the position have no more right to compensation, supposing abolition to be right and lawful, than

Ministers would be if a vote of want of confidence were carried against them, and they were turned out of office to-morrow. It is a proposal of a most indelicate character, and ought not to have been made while the gentlemen who fill the position of Superintendents of provinces continue to hold seats in this House. If it be right to make this compensation to the Superintendents, will any honorable gentleman tell me why compensation should not be given to the members of the Executive Councils?

Mr. MONTGOMERY.—And to ex-members.

Mr. SHEEHAN.—And to ex-members. Why should their claims not be recognized? They come into office with the Superintendents, and have been deprived of their positions by the legislation of this House.

Mr. MONTGOMERY.—Why not the whole Council?

Mr. SHEEHAN.—Well, the whole Council may be entitled to compensation, because the members are entitled under certain circumstances to receive travelling allowances and honoraria, which are now done away with. And then the Speaker of each Council should also be included.

Mr. PYKE.—And the Chairmen of Committees.

Mr. SHEEHAN.—Some of the Councils have no Chairman of Committees, but where there is such an officer, I maintain that he is as much entitled to consideration as the Superintendent of a province. However, I must say that to my mind it was an indelicate proposal, it is one which ought not to have been made, and it is one which I hope will be repudiated by the gentlemen who are affected by it, who have seats in this House. Speaking of the general aspect of the Bill, it appears to me to be open to the same objection which many proposals coming from the Government which has held office during the last four or five years is open to. It is complex to a very great degree. The arrangements, the changes, the shifting votes, the alterations of the proportions of moneys to be paid to the various districts, are eminently suggestive of the pea-and-thimble trick, so successfully practised on raccourses. People cannot understand an Act of this kind. They do not know what they are going to get; and the only explanation of the reason for bringing down a Bill of this complex and difficult character is that it may take people the next twelve months to find out what it means, and before that time the Government will be compelled to repeal it. I am not going to take an extremely gloomy view of the financial condition of the colony, because I believe it will take more than five years of misgovernment to ruin this colony. We shall require not one, but a succession of financial geniuses such as the one who has now ceased to take an active part in the government of the colony, to do that. With all his ingenuity, and with the combined ingenuity of the members of the Government, they will not be able to destroy this colony. It has an element of vitality too strong to be deprived of life; and although it may be subject to years of depression, we shall in the long-run drop on our feet. But there is this to be considered, that in

the meantime an immense amount of misery will be brought upon private people. Although in the long-run we shall turn up right, with our credit restored and with a good name in financial circles, yet in the meantime there will be a great amount of misery worked upon private families, an amount of depreciation of private property of a most injurious kind; and I contend that the Government which has brought in this Bill will be directly responsible for all this misery and depression. If there was one thing which would have carried these Abolition proposals to a successful issue, it would have been an honest attempt to cut down the expenses of the colony, to reduce its departmental expenditure, to have reduced the cost of government not only by abolition of the provincial form of government, but by a simplification of the colonial form of government. If instead of increasing salaries, instead of investing in luxurious yachts, instead of maintaining at Home gigantic establishments which are no longer necessary, we had put all these moneys together towards developing honestly and fairly those out-districts which are claimed to be under the special protection of the Colonial Government, then there would be some justification for the Abolition proposals, there would have been some prospect that the period of depression would not be so long in duration or so severe in its operation as I fear it is likely to become. I do not wish to take up the time of the House further in speaking upon this measure; but in Committee I shall endeavour, if possible, to insert a clause the effect of which would be to deprive endowed municipalities of any right to participate in the vote of this House. I shall propose an amendment to the effect, That out of any moneys payable to municipalities there shall be first deducted a sum equal to the amount received by them for rent or revenue of public endowments during the previous year, and that all savings thereby effected shall go to the country districts. I hope the honorable gentleman in charge of the Bill will not put any uncharitable construction on the remarks I have made, but will believe me when I say that I have only fairly criticised some parts of the measure which occurred to me as of importance to bring before the House. I still repeat that, if the Government wish to make these arrangements endurable and palatable to the people living in the country districts, they will abolish proposals which will treat the rich and poor districts of the country alike. If they will do that, they will remove one serious objection to their proposals. They will prove that one result of the Abolition policy will be that a larger amount of money will be available for the out-districts for the purpose of carrying out improvements and opening up the country for settlement. As the matter stands now, instead of ten Provincial Governments we shall have simply sixty-three Provincial Governments, each with an expensive staff. We shall have all the mischiefs and offences of Provincialism—for I do not deny that there have been offences connected with Provincialism—we shall have all these perpetuated and maintained; and we shall not receive as compensation for them those benefits and blessings

which the Government led the country to look forward to on their completion of the Abolition policy.

Mr. REYNOLDS.—Before you leave the chair to go into Committee, I should like to refer very briefly to some of the provisions contained in this Bill. I am not altogether satisfied with the Bill, inasmuch as it does not carry out the Abolition Act passed last session. I think, if there is one thing more to be deplored than another, it is the fact that our Acts passed one year are very much interfered with in the next—that there is really no finality, or even anything approaching to finality, in the laws, we are passing this session. I find in the 6th subsection of the 4th clause that the Land Fund is to be charged with primary education, the maintenance of hospitals and other charitable institutions, and for the maintenance of museums. Now, the 22nd section of the Abolition Act provides—

“That the cost, charges, and expenses of police, gaols, harbours, hospitals, lunatic asylums, charitable institutions, museums, public libraries, and of education throughout the colony, shall be borne on the Consolidated Fund, so far as such costs, charges, and expenses are not otherwise by law provided for.”

They are not provided for by law, excepting in those provinces where they have reserves. Of course, I can understand that the revenues of these reserves are applicable for these purposes; but I deny altogether that it was ever the intention of the Legislature last session to bring these charges to bear upon the land revenue. It is not clear to me how some of these institutions can otherwise be supported except from the land revenue or out of the Consolidated Revenue. For example, with regard to education, so far as the Province of Otago is concerned, we have no great reason to complain; because the land revenue, according to the original terms of purchase, was to be devoted to immigration, education, and public works. The honorable member for Rodney has already referred to section 9 of the Bill. I had intended to address myself at some length to it, but I think it will hardly be necessary after the remarks made by the honorable member. I quite agree with the honorable member that it was a great mistake on the part of the Government to propose such a provision as is contained in this section—to provide that certain allowances shall be made to the Superintendents. As was remarked by the honorable member for Rodney, if allowances are to be made to the Superintendents of provinces, why not also to the Speakers, Chairmen of Committees, and even the members of the Councils? Why should there not be compensation given to them? I do trust the Government will offer no opposition to the striking out of this provision. Then there is section 11, which is contrary to the Abolition Act of last session. By that Act, the whole amount of Treasury Bills that could be in circulation at any one time was not to exceed £100,000. Now, provision is made in this Bill for £150,000. I have gone carefully into the matter, and I believe even that amount will be far less than the amount that will be required. I would like to

hear from the Government how they intend to get rid of these Treasury bills, if in one year they require no less than £150,000. Then section 14 says, "There shall be issued and paid out of the Consolidated Fund during each financial year, for five years after this Act comes into operation, but no longer, the following sums," &c. I cannot see why there is any necessity to limit these powers to five years. Of course I am quite aware that any Act is subject to alteration from year to year; at the same time I think that in passing the Abolition Act there was no intention that these powers should be stopped at the end of five years. I feel perfectly certain that if that had been stated at the time it would have been very difficult to pass the Abolition Act at all. I am convinced that if the public at the late election had known that it was only to last for five years there would have been a greater number of members returned in opposition to abolition than were returned. By fixing it only for five years, it is indicating the opinion of the Legislature that at the end of five years this arrangement is to be entirely done away with. Then from the contribution from the Consolidated Revenue to Borough Councils and County Councils there are to be certain deductions made for the maintenance of hospitals and charitable institutions. If these deductions are to be made, the County Councils and Municipalities will be placed in a worse position than they would have been in under provincial institutions.

Major ATKINSON.—You have not calculated it.

Mr. REYNOLDS.—I have calculated it pretty well, and, as far as Otago is concerned, it will be placed in a far worse position if the hospitals and charitable institutions are put upon the Corporations and County Councils. The people there will be in a far worse position than they would have been in under the Provincial Government. Then I turn to section 23, in which there is also a deviation from the Abolition Act. The gold fields revenue is to be devoted to the county in which the revenue is raised; but according to the Abolition Act provision was made that it was only the balance that was to be paid, after all charges of administration were met. I think that that alteration is a very material one, which will very much affect the finances of the colony. Section 37 gives the Governor power to increase the compensation to be paid to officers employed in the government of the colony or the government of any district, whose services may be dispensed with; and such increase is to be in addition to the compensation provided for by section 13 of "The Abolition of Provinces Act, 1875," and is to consist of not more than six months' salary, or land to the value of one month's salary for each year's service. That is asking for too much power for the Government, and it should be distinctly stated in the Bill or in the Appropriation Act what compensation is to be given to all these provincial officers for the loss of office. It certainly should not be left to the Government to fix differential rates and to give away the land of the colony. I trust that in Committee the Government will

agree to strike out this clause altogether, or to so amend it as to define what the colony is going to pay in the shape of compensation, and not have fish made of one and flesh of the other. I will refer the Committee to clause 4, subsection 7, which refers especially to Taranaki. According to the Act passed in 1874, one-fourth of the gross land revenue of that province was set aside as an endowment to the Harbour Board. Under the Abolition Act, certain payments are to be made out of the Land Fund, and I think that these deductions should be made before the one-fourth is handed over to the Harbour Board. I trust the House will agree to an amendment to that effect. I must say that, although I intend to support the motion for going into Committee upon this Bill, it will be necessary for me in Committee to urge upon the Government the passing of such amendments as I think necessary.

Mr. MONTGOMERY.—I wish to refer to two clauses in the Bill. The honorable member for Port Chalmers has taken up most of the points in the Bill, and has spoken very fairly upon them; but he made one error. He spoke of £150,000 of Treasury bills being issued; but the Government proposed to issue nearly £150,000 of Treasury bills for the half-year, which will be nearly £300,000 for the year.

Mr. REYNOLDS.—I referred to section 11, which states that the Treasury bills issued under authority of the Act shall not at any one time exceed £150,000.

Mr. MONTGOMERY.—If the financial arrangements proposed by the Government are carried out, we must of necessity repeal this clause, and substitute a limit of £300,000 of Treasury bills, because provision is only made for half a year. We must do that next year, unless there is a very great increase in the amount of money received from land revenues. What are we doing now? We are repealing the Abolition Act so far as it says that only £100,000 of Treasury bills should be in circulation at any one time, by providing for an additional issue to the extent of £150,000; and in the future we shall of necessity have to repeal this clause, unless our financial position alters very much. The Government propose that the subsidies and this disposal of the Land Fund shall only last for five years. If honorable members must consider what there is in the past to lead us to believe that this will last for five years. I would ask the Premier himself to consider what there is in the past to lead him to believe that this will last for five years. We have already changed from that provision in the Abolition Act by which it was proposed that hospitals, charitable aid, and education, and so on, were to be placed upon the Consolidated Revenue, for they are now to be placed upon the Land Fund; and should the Land Fund not be able to bear it, we are to issue Treasury bills. It is almost ridiculous to talk of this lasting for five years, and it is holding out to the country a delusive hope that will never be realized. We may be quite sure that we shall change front next session. The mode of distributing any balance out of land revenue might be cavilled at, but I think it is

very problematical whether there will be any balance out of the Land Fund next year. My honorable friends from Auckland think there will be a land revenue which might be appropriated as a general fund. I will tell them that I have seen the land revenue of Canterbury from sales nearly as low as £30,000; and it is put down here at £200,000. I know that the land revenue of Canterbury has been large latterly; but the land fit for cultivation has been nearly all sold. There is hilly land and gravelly land left, and also small lots of good land here and there, but the great bulk of the agricultural land is sold; and any man knowing the Province of Canterbury will admit that the land revenue must fall off very considerably. Next session, if the Assembly should determine to absorb the whole of the Land Fund of Canterbury, I do not think it will put the financial state of the colony in any better position. I wish to point out to the House that we are passing a Bill which holds out delusive hopes that will never be realized, when we say that a certain order of things shall endure for five years. No doubt it looks very pretty in the Bill, but it will last only just as long as any of the financial proposals of the Government have lasted—that is, from year to year. The only one thing we can depend upon is borrowing more money. That is the whole secret of the financial arrangements of the country. I ask, is there any use whatever in putting in the clause as to the five years?

Sir R. DOUGLAS.—I am in a rather singular position with reference to this Bill. In many respects I agree with what has been said by the honorable member for Rodney; but I feel bound to accept it as it stands in lieu of something better. It has been pointed out in this House very often, that those who have prayed for abolition have now got what they deserved. When they say that they do not know why members prayed for abolition, they did not understand the state of our case, and I think they are rather hard upon us. To me, Provincialism represented the utmost abomination. I knew that nothing could be worse than it, for it was tyrannous in the extreme. It was for that reason we desired to get rid of it. It was pretty well known in my district that we should gain nothing by abolition; but we should get rid of tyranny such as Englishmen never suffer under. With reference to this Bill, I will call attention to this: that in section 4 it is proposed to charge against the Land Fund the money expended upon railways in the district, but I do not see that main lines of road are to be so charged. Auckland is one provincial district, and in it there are railways which are not within 200 miles of a portion of the province. Yet these railways are to be a charge against the whole district; and persons who have no railways, and are never likely to have any, are yet called upon to pay their quota towards them, while they cannot get any benefit from them. At the same time, the House has refused to allow main lines of road to be charged against the Land Fund, although main lines of road are to some portions of the province what railways are to others. That is a very poor state

of affairs indeed. I do not know any remedy for it, but it is one of the bad things in this Bill. Again, the proceeds of all rural land over 40s. per acre are to be paid to the county; but I have always held that we should have commenced by giving to the counties something out of the Land Fund, and the remainder should go to the Government. The Land Fund should be charged, first, with the making of roads, and the remainder should be given to the Government. That would be just reversing the operation proposed in the Bill. Everything is first squeezed out of the land; and if anything is left, it is to be given to the counties. All through this Bill, we find the word "provincial" still used. I think the sooner we get rid of that word the better. We read of "provincial liabilities," "provincial districts," and so on. For my part, I should like to strike the word "provincial" out of the dictionary altogether. This is not true abolition of the provinces. Provincialism still remains, and we are to have the same masters by a different name. Until this House and the Government are prepared to abolish the provincial districts altogether, we shall really gain no very great benefit from the counties. I do not suppose it is of any use for me to say more. I know we are still going to suffer under this new arrangement; but we shall, at all events, have got rid of an abominable tyranny.

Mr. REID.—I think the honorable member for Rodney deserves the thanks of the House for opening up this debate. I cannot say I agree with the beginning of his speech in regard to the delay in the business of the session. I quite agree with him that it is the duty of members to give their attention to all important business, and it is no part of our duty to stifle discussion from a desire to return to our homes. When we take the responsibility upon ourselves of coming here to legislate for the country, we take a responsibility we cannot evade by simply desiring to return home. When any important discussion is on, or any important matter has to be considered, we should give our full time to it. But I think the honorable gentleman will admit that the signs of impatience which have been shown by honorable members have been not to the consideration of real business, but because our time has very often been taken up with the consideration of matters of comparatively little importance to the country, and of little moment to members of this House generally; because these matters could lead to no real issue. In fact, many of us felt that we were descending to the position of a debating society, and that we were arriving at no practical result. Members were then very naturally impatient. I look at it that we have only now arrived at the real business of the session, and that the Bill we are discussing is one of the most important that has been placed before us. I share in the opinion expressed by other honorable members that this Act is but an Act for a time. It may last for twelve months, but it is very probable that it will be amended when next we meet. There are one or two provisions in it on which I should like to say a few words. And first, with respect to section 6: it con-

tains a provision, and a very proper one, that the colony should take over certain public works that are to be constructed at the expense of the provinces, and that the debt of each province is to be reduced to a corresponding extent in consequence of such taking over. That is a very fair provision, but it does not go far enough. If we are to have abolition, I think it ought to be as perfect as the honorable member for Marsden wishes, so that the word "province" may never be used in the language: indeed, I would suggest to the honorable member that the title of the Abolition Act should be amended by striking out the word "province," and as I have as strong an objection to the word "Abolition" as he has to "Province," we might strike out that word too—I say if we are to acknowledge the taking over of those provincial works which have cost money to the respective districts, and to maintain the system of charging to the provinces the proportion of their liability, then there are other valuable considerations besides railways that, I presume, will also be taken over. In the province from which I come, we have some very valuable public buildings; and I do not think it would be a proper position to place that province in, to say that you should absolutely take that property over and make no corresponding reduction of the liabilities of the province. The same would apply to other provinces. It would be right, in taking over the provincial liabilities and maintaining them as a charge against the provinces, that all property, whether railways or other property, that is going to be taken over absolutely by the General Government, should be valued as the railways are to be, and credited to the provinces, and the interest and loan charges correspondingly reduced. That would place the provinces on an equal footing, and be only right and reasonable as long as these charges are maintained. The objections to this Bill raised by the honorable member for Port Chalmers are of a rather peculiar nature. As far as I understood him, he objected to the provision that these subsidies are only to last for five years. I should have thought he would be delighted if he could make up his mind that there was a prospect of their continuing for five years. If I believed, as I do not believe, that this was a judicious way to expend the public revenues, and if I had such a Bill as this before me, I should be delighted at the prospect of these subsidies continuing for five years. But as I do not believe in this system, and look upon it as exceedingly prejudicial to the community that subsidies should be maintained from this source, I am delighted with the idea that this year will be the beginning and the end of these subsidies from Consolidated Revenue. The honorable gentleman asks, "How will the Treasury bills be redeemed? How will you redeem them, and continue these subsidies?" The answer is very simple: You cannot; and the only way in which you can get rid of the Treasury bills is to fund them from year to year, and add them to your funded debt. I do not think that would be a very wise course, and therefore I am persuaded that this system of granting subsidies from the

Consolidated Revenue will be discontinued at the very earliest possible date. With regard to the 22nd section, which provides for the allocation of the gold fields revenue, I do not know whether it is intended, but it appears to me, as the clause is drafted, that it provides that pastoral rents are to go as revenue in the districts. I am glad that the Premier shakes his head, as I presume it indicates that is not the intention; but the clause as it is now reads thus: "Revenues accruing from the sale of waste lands of the Crown, or rents, or other moneys received under agricultural leases in any district, shall be deemed to be part of the Land Fund of such district." Then what is to become of the pastoral rents? There is a comma after the word "rents," but it does not make such a break in the clause as to make the provision clear.

Major ATKINSON.—We can make it clear.

Mr. REID.—I think that is the right course to take, and that will satisfy me. The honorable member for Port Chalmers has raised an objection to the compensation to be given to provincial officers. I think the provision here made is little enough. I know, with regard to the province I come from—and I presume it is not intended to depart from the terms under which the provincial officers hold their positions—the terms are to this effect: that any officer who is discharged from the service on account of his services no longer being required, so long as there is no fault to be found with him, is entitled to compensation at the rate of one month's pay for every year's service, and that pay is given in cash. Of course there is no law providing for those terms; but a circular was sent to the officers some years ago, stating that that would be the compensation for loss of office. The provision in the present Bill is that, at the option of the Governor, the compensation to be given may either consist of not more than six months' salary, or land to the value of one month's salary for each year of service. That is putting the officers in a worse position than they are at present, and I am sure the Government will never repudiate the agreements which exist between the Provincial Governments and their officers. There is just one other matter in relation to this Bill that I should like to refer to, and that is in reference to the speech the Commissioner of Customs made a few days ago. I listened to that speech with very great attention, and I see it is now published in *Harvard*, and, to my mind, it gives, from his standpoint, a clear view of the position the Province of Otago will be in after abolition takes place. I must say that the balance, as shown by the honorable gentleman, is much more favourable than I expected. I had prepared a paper myself, showing how, in my view, abolition would affect the province, and I made out that it would suffer a loss of from £10,000 to £13,000 per annum. I find the honorable gentleman makes out a clear gain; but there are some items he has inserted which I think can scarcely be taken as gains. He takes as savings the expenses of elections, printing, *Gazette*, telegraph messages, Home Agency; but he has not put, on the other side, the expenses of the elections of the

County Councils. In dealing with this matter, it is no use to show you have a saving in the provincial elections; while you forget to show what the new system will cost to the people as a whole; for it is not the province simply, but the people of the country, who should be benefited by the change. Therefore, as the honorable gentleman has not put the cost of the County Council elections on the other side, it would have been better to have left this item out altogether. Then as regards printing the *Gazette*, I venture to say that the cost of printing, under the new arrangement, will be ten times what it was under the old. And here, I may say, I regret very much that the Premier has not acceded to the request which I so strongly urged last session, that it would be wise to retain the Provincial *Gazettes*, so that all public notifications that may be required might be published in them. I believe the saving would be great if that were adopted. I urged that matter very strongly; and I only regret now that the Bills which would be affected by such an arrangement had so far advanced that the provision could not very well be carried out. The Provincial *Gazette* is circulated gratis, and the advantage it is to the different localities is shown by the fact that the Road Boards and all governing powers insert their advertisements in it. Of course the newspapers are down upon it, because it takes the grist from their mills. So in regard to other items of saving which the honorable gentleman gives—I do not say intentionally with the view of misleading, but I think they cannot all be taken as savings, for the same expenses will have to be incurred by the local governing bodies when they are established. The honorable gentleman then went on to refer to statements made by myself when I was speaking in the Separation debate, as it is called. The statement I then made was not intended as a comparison between the condition in which the provinces would be under the new arrangement and as they were under the old—not as showing that we should be much worse under the Abolition Financial Arrangements Bill; I wished to show what the Provincial Government spent last year, and what we should have to spend under the Premier's proposals. In stating what we expended last year, I was replying to the honorable member for Wakatipu and others, who complained that the Provincial Government had not spent enough. I then took out figures and showed what we had exactly spent. I did not say that what we had expended was from revenue, but I said that, if we were forced into extravagant expenditure, it was owing to the vicious system into which we had been driven. I do not for a moment justify the expenditure of so large a sum. I do not wish to make it appear for a moment that we could legitimately spend so large a sum year after year. The honorable gentleman then went on to ask: If this sum had been spent by counties, would it not have been spent to greater advantage? I say it could not. If we had had eight or ten counties to superintend the expenditure of that money, we should have required eight or ten times the number of public officers employed by the Provincial Govern-

ment; and when you have a large number of persons and officers superintending the expenditure, you have less efficiency, and the work is done at a greatly increased cost. That is the argument I have always been endeavouring to urge upon this question of abolition. I have always urged that by having larger divisions of the country, each efficiently worked by one staff of officers, you could manage matters more economically, more efficiently and more satisfactorily, with a given sum to be expended. It is an argument which I think I can still maintain; and I am quite sure that when we have had a little experience of the new system it will be seen that I am not wrong. I presume we must bow to the decision to which the Parliament has come. Evidently some parts of the country have been ripening towards this desire for abolition. The very name of Provincialism has become distasteful to some honorable members, and I believe it has been made obvious to some parts of the country. But I think it quite possible that before long we shall find Centralism to be as odious, and that what has been termed "a system of local government endowed with substantial revenues" will also become as obnoxious and distasteful. Then we shall require further change. We are a people fond of changes; and I am not now going to stand in the way of making the very best provision for the government of the country that can be obtained. I took advantage of this opportunity to make an explanation with reference to the remarks of the Commissioner of Customs. I do not say that financially it is going to be a very serious matter. As long as these measures are carried out, if the promises made in these Acts are fulfilled, I do not say that financially it is going to make a very material difference. I believe that, to some extent, it will be a loss to the province from which I come; and I am sure that, as regards administration, there will be a great loss. But what I most object to is the taking away from that part of the country of powers which I contend were advantageous to it, and which I contend would have relieved this House of the tiresome and tedious business which will be brought up to it time after time. What I object to is the taking away from the people of the power of determining in regard to matters of purely local importance. The people, through their representatives, will now have to come here and discuss these matters with persons from all parts of the country, who know very little of the circumstances. The result of this, Sir, will be that matters of vast importance to localities will be decided by the chance votes of a Ministerial majority. How can members of this House pretend to know anything in regard to those matters? Members will say, "We do not care for your little local affairs; we will vote whichever way the Government votes." I do not say that it is the Government that will be blamable in this respect. I say that it is the House itself that will be blamable. Members cannot inform themselves, and therefore they will be guided by the Government. I am not going to take up any more time; but I could not allow this opportunity to pass without giving expression to my

views on this point. I repeat that what I regret in the changes that are about to take place is not solely in regard to the loss of revenue. I believe that, even if the provincial system continued, we could not expend at the rate we have spent. I contend that both the colony and the provinces were expending beyond their legitimate powers. But while I do not regret much the cessation of expenditure for a short time, I do regret very much that we should have been deprived of political privileges, which I, at all events, valued very highly, and which I believe were advantageous to the districts.

The House then went into Committee, progress was reported, and leave asked to sit again.

The House adjourned at twenty-five minutes past twelve o'clock p.m.

LEGISLATIVE COUNCIL.

Thursday, 19th October, 1876.

Third Readings—Colonial Botanic Garden—Crown Redress Bill—Bluff Harbour Board Bill—Lyttelton Harbour Board Bill—Timaru Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

THIRD READINGS.

The Palmerston Athenaeum Bill, the Debtors and Creditors Bill, the Fraudulent Debtors Bill.

COLONIAL BOTANIC GARDEN.

The Hon. Mr. MANTELL, in moving the motion standing in his name, said it was not necessary to say much in asking for leave to introduce a Bill; and especially was that the case in reference to a Bill of the strictly utilitarian nature of the one he now proposed to bring in. The Colonial Botanic Garden was an institution under the General Government of the colony. It was situated at Wellington, from the necessity which existed for a garden to be situated somewhere. It was impossible for a Colonial Botanic Garden to be diffused over the whole colony, otherwise it would be so. But hence had arisen a mistaken impression in some persons' minds that the Colonial Botanic Garden was a Wellington institution. He only wished that that impression gained more currency among influential residents of the city near which it was situated. At present there seemed to be a prospect, he was sorry to say, of the small amount of funds at the disposal of the Board of Governors being insufficient to meet outstanding engagements, and, still more, inadequate to carry on the Garden in a satisfactory manner. The Board of Governors, he might remind the Council, was constituted under an Act or Acts of the General Assembly, and consisted of certain gentlemen, some of whom were nominated by the Governor, and some elected by the societies affiliated to the New Zealand Institute, and was presided over by His Excellency the Governor himself. Thus, that Board found itself in this dilemma:

that from its very constitution, and from the high office filled by its President, it was impossible, or at least extremely difficult, for it to approach the Legislature by way of petition. The land at present under the administration of the Board comprised 80 acres, with an addition of about 10 acres taken under its management for the convenience of getting a natural boundary. The whole expenditure upon this during the many years the Board had been in operation had only amounted to about £3,000, more than one-third of which had been contributed from various sources within the city of Wellington, including a sum of £300 or £400 by the Provincial Council of the province, so that, considering these contributions towards a colonial institution—and an institution which, he ventured to say, had been of great service to the colony generally—he thought that the Wellingtonians, at least, had done their share in contributing towards it. It was not the resort of the aristocracy, but it certainly afforded to the working classes, and decent people of all classes, a very nice place of recreation, and a place where they could get fresh air. Although the area of land was so great as 80 or 90 acres, yet he was very much afraid that even if such a Bill as he asked leave to introduce were passed, very little of the land was of so tempting a nature as to induce persons to take leases of it. However, as it stood at present, he was informed that the Board of Governors had no power to lease any portion of it; and it would be just as well if, in the interim between the present time and next session of Parliament, power was given to the Board of Governors by which they could ascertain whether or not they could obtain any considerable addition to the funds for the maintenance of the Gardens by means of letting off certain portions of it. Of course, for his own part, speaking as one of the Board of Governors—one of the lowliest of its members—he did think that the annual grant that was usually given should have been continued to the Gardens. He did not think that its discontinuance was at all creditable to the colony. He knew of no other colony in Australasia in which far larger grants had not been cheerfully made by Parliament annually for the maintenance of such institutions. He knew of no such gardens which were conducted in a cheaper and more efficient manner than this.

Motion made, and question proposed, "That leave be given to bring in a Bill to enable the Board of Governors of the Colonial Botanic Garden to sell or lease certain portions thereof."—(Hon. Mr. Mantell.)

* The Hon. Colonel BRETT said they had splendid Botanic Gardens in Christchurch, but a more selfish institution was not in existence. He desired to make a few remarks on this occasion, in the hope that the Hon. Mr. Mantell might do something in the way of spreading trees all over the country, and of allowing the public to have plants on application. In Canterbury, the settlers were prohibited from obtaining such plants from the Gardens, which he considered a very great hardship, for there were thousands and thousands of trees there perfectly useless, and they

also grew so high and so large that they actually had to be removed and thrown away, because the authorities did not think it was right to interfere with private speculation. He felt convinced that if these Gardens in Wellington would distribute plants to the public at a moderate price, a considerable sum would be received in the course of the year. This was merely a suggestion on his part; but he was sure that the Hon. Mr. Mantell would give every assistance towards carrying it out. He would support this Bill with very great pleasure.

The Hon. Captain FRASER was sorry to find that such an enlightened province as Canterbury should have been so very narrow-minded as to prevent the general public from taking advantage of their own estate. Why, in that narrow, grasping province to which he belonged—Otago—they placed their plants at the disposal of any one who would take them. They gave them to the farmers and the different inhabitants of the province in every direction, because they considered that the Garden did not belong to the Superintendent, or to any one, but was the estate of the public. He was sorry to find the same liberal course was not taken in Canterbury.

* The Hon. Mr. ACLAND was rather sorry to hear the remarks of the Hon. Colonel Brett, and thought the honorable gentleman must to some extent be mistaken. He did not know whether at the Gardens in Christchurch they offered plants to private individuals. Possibly, they thought that private persons who had the means of buying them should do so, instead of getting them free. He knew, however, that trees in large numbers were offered to the Road Boards, because the Board of which he was Chairman was offered trees to almost any extent, but they had no ground to plant them in. With reference to the Colonial Garden, he was under the impression that it did distribute trees; at any rate, he knew it supplied seeds on application, and sometimes without application. He had heard that a gentleman who was well known in both branches of the Legislature had recently paid a large sum out of his own pocket on account of these Gardens. Though he would be sorry to see any part of the land sold, he thought it might be very desirable to lease some portions of these Gardens to supply funds for their maintenance.

The Hon. Mr. MANTELL, in reply to the Hon. Colonel Brett, said the embargo on the sale of plants was not peculiar to Christchurch, but was the practice in Melbourne and other places, where the outcry of market gardeners had been very great. In fact, it had been the apprehension of such an outcry in this place that had prevented the sale of the surplus which had accumulated, and which must be sold now to prevent waste. He would remind the Council that the excellent Botanic Gardens in other parts of the colony were mostly endowed, and under the management of bodies that were in the possession of funds for carrying them on. This Garden, fortunately or unfortunately, belonged to the colony; and he felt quite certain that in the long run it would be quite as creditably supported, as regarded funds, as any other Garden in the colony.

Motion agreed to. Bill brought in and read a first time.

CROWN REDRESS BILL.

The Hon. Mr. MANTELL, in moving the motion standing in his name, said that as time was valuable, and the whole of this matter had been gone into sufficiently for all practical purposes within the last few days, he did not anticipate that any honorable member would have any objection to offer to the motion. If there were any honorable members who did not concur in the motion, he would be quite prepared to avail himself of the privilege of reply, and go fully into the subject. But, in abstaining from dilating upon the question now, he reserved to himself the right, on their reassembling next session, to go as thoroughly and fully into the whole question of this miserable fraud, he must call it, on these unfortunate Natives as the Council would hear.

Motion made, and question proposed, "That the report of the Select Committee on the Crown Redress Act 1871 Extension Bill be taken into consideration; that the Council doth concur in the recommendation contained in that report; and that a copy of this resolution be forwarded to the Government, with a copy of the report of the Select Committee."—(*Hon. Mr. Mantell.*)

The Hon. Dr. POLLEN thought his honorable friend had adopted a very judicious course in dealing with this question. He could only say he would not oppose the resolution, and that he accepted, on the part of the Government, the responsibility of making the inquiry, and endeavouring to arrange this question.

Motion agreed to.

BLUFF HARBOUR BOARD BILL.

This Bill was considered in Committee.

Clause 16.—Moneys constituting Harbour Fund.

* The Hon. Mr. HALL moved, as an amendment, That the first section of the clause, as follows, be struck out:—"All pilotage rates and port charges which for the time being shall be levied in respect of the port under the authority of 'The Marine Act, 1867,' or of any Act amending the same, and receivable by the Board."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called, for with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	11
Majority against...	...	...	...	...	1

Ayes.

Captain Baillie,	Mr. J. Johnston,
Mr. Bonar,	Mr. Menzies,
Dr. Grace,	Mr. Nurse,
Mr. Hart,	Dr. Pollen,
Mr. Holmes,	Sir J. L. C. Richardson,

Noes.

Colonel Brett,	Mr. Pharasyn,
Mr. Chamberlin,	Mr. Robinson,
Captain Fraser,	Mr. Russell,
Mr. Hall,	Mr. Stokes,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Lahmann,	

The amendment was consequently carried.

The Hon. Mr. ROBINSON moved, That the Chairman do leave the chair.

Question put, "That the Chairman do leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	13

Majority against...	...	...	...	2
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AYES.

Colonel Brett,
Mr. Chamberlin,
Mr. Edwards,
Captain Fraser,
Mr. Nurse,
Mr. Paterson,

Mr. Pharasyn,
Mr. Robinson,
Mr. Russell,
Mr. Stokes,
Colonel Whitmore.

NOES.

Mr. Acland,
Mr. Bonar,
Dr. Grace,
Mr. Hall,
Mr. Hart,
Mr. Holmes,
Mr. J. Johnston,

Lieut.-Colonel Kenny,
Mr. Lahmann,
Mr. Menzies,
Dr. Pollen,
Mr. Rhodes,
Sir J. L. C. Richardson.

The motion was consequently negatived.

Clauses 53, 54, and 55.—Endowments to be set apart, and proceeds pledged.

The Hon. Captain FRASER moved, That these clauses be struck out.

Question put, "That the clauses proposed to be left out stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	14

Majority against...	...	...	...	8
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AYES.

Captain Baillie,
Mr. Bonar,
Dr. Grace,
Mr. Hall,
Mr. Hart,
Mr. Holmes,

Mr. J. Johnston,
Mr. Lahmann,
Mr. Menzies,
Sir J. L. C. Richardson,
Mr. Scotland.

NOES.

Mr. Acland,
Colonel Brett,
Mr. Campbell,
Mr. Chamberlin,
Mr. Edwards,
Captain Fraser,
Lieut.-Colonel Kenny,

Mr. Nurse,
Mr. Paterson,
Mr. Pharasyn,
Mr. Robinson,
Mr. Russell,
Mr. Stokes,
Colonel Whitmore.

The amendment was consequently carried, and the clauses struck out.

The Bill was reported with amendments, and the third reading fixed for next sitting day.

LYTTELTON HARBOUR BOARD BILL.

* The Hon. Mr. HALL, in moving the second reading of this Bill, thought it would be some satisfaction to the Council to learn that the Bill contained no provision for endowments in Crown land. It was suggested that that was not a satis-

factory feature, as it would not enable honorable members to throw out the Bill. But, at any rate it was a satisfactory feature to him, as he would not have to regret the loss of the Bill. If honorable members would be kind enough to bear with him, he thought he could satisfy them that it was desirable that some measure of this kind should be passed. As, no doubt, honorable gentlemen were aware, the harbour of Lyttelton was the outlet of a very important part of the colony—the only harbour, in fact, between Wellington and Port Chalmers. It was a good harbour in some respects. It could be entered easily at any time during day or night. The approach to the harbour had no dangers; but the harbour had also some disadvantageous features. It was open to the seaward; and when the south-east swell came up the coast, it rolled into the harbour, and often made the unloading of vessels a work of considerable difficulty. It was not land-locked, and therefore was not still and calm in all weathers. Neither was it a harbour in which deep water extended close to the shore—at any rate, in those portions of it which were made use of for the unloading of vessels. Till lately, it was necessary for all large vessels trading from the Home country to be unloaded by lighters, which, of course, was a very expensive and dilatory process. It entailed upon the community depending upon the harbour not only the cost of lighterage, but the additional freight charged by vessels, which were detained a very unreasonable time loading and unloading. The attention of the Provincial Government of Canterbury had for a long time past been directed towards the improvement of the harbour. Reports had been obtained from the best authorities who could be employed as to what those improvements should be; and after considerable deliberation, and opinions from several scientific authorities, plans were determined upon. It was now nearly ten or eleven years ago since it fell to his lot, as Secretary of Public Works for Canterbury, to initiate on a very small scale the harbour works now going on. Those were days of small things, and all the then Provincial Government could do was to put the prison labour-gang at work at the commencement of the breakwater, which was part of the plan decided upon as most urgent. As the resources of the province increased, larger sums were devoted to this work; and any honorable member who had recently travelled in that direction would have seen that a considerable part of the harbour had been enclosed by a stone breakwater, which enabled large vessels to discharge alongside the wharf, where the water was deep enough to enable them to approach it. The Provincial Government had expended out of its annual income sums amounting in the aggregate to no less than £250,000; and although that sum was large, yet he thought every gentleman acquainted with the facts would see that it was money well spent. They had also imported from England a very fine steam dredge, and apparatus for deepening that part of the harbour enclosed by the breakwater. With the view of impressing upon the Council the importance of this case, and showing that a large interest was at stake, he

might be allowed to state a few figures, to show the amount of traffic involved in these works. The exports from Lyttelton during the year 1875 amounted to £1,219,000, and the imports during the same period amounted to £1,184,000. The amount of shipping was as follows:—From or to other places than New Zealand—inwards, 165 vessels; outwards, 192 vessels. Coastwise—inwards, 1,512 vessels; outwards, 1,451 vessels. Honorable members would, he was sure, admit that this was a very large traffic. He would content himself with enumerating only the exports of wool and grain. The value of grain exported during 1875 was—oats, £201,000, and wheat, £375,000. The value of tallow exported amounted to £31,000. The number of bales of wool was not given, but there were exported fifteen million lbs., of the value of half a million sterling. Honorable gentlemen must be aware that this must employ a large amount of shipping; and although so much had already been done, during the greater part of the year the wharfage accommodation was so short of the actual requirements, that vessels had to be loaded two deep, and even then they were not able to be brought up to the wharf for some time after their arrival. This, of course, involved a great deal of extra cost and inconvenience. He had shown that, even as a matter of wharfage, much was required to be done; but the dredging of the harbour was also required to be gone on with. Then, again, there was no slip or graving dock, so that ships could not be repaired, as they could be at Wellington and Port Chalmers. Some expenditure would also have to be incurred in order to obtain a steam tug. Without some assistance from the Government, the trade of the place was not sufficient to support a powerful steam tug during all the months of the year. Further accommodation in the way of additional steam cranes was also required. Now, if the Provincial Government had remained in existence, these various objects would have been amply supplied. The people of the province were deeply impressed with the necessity for providing an outlet for their produce. Their welfare and prosperity depended upon that. If they did not provide sufficient outlet, and an inexpensive outlet, for the agricultural produce of the province, the settlement of that province by an agricultural population must be retarded, and no progress could otherwise be made. It was essential to the prosperity and progress of the province that every facility should be afforded for the export of agricultural produce. The pressure during the grain season was such as honorable gentlemen who had not seen it could hardly have an idea of. The produce was brought to the various railway stations throughout the province, and the railway authorities absolutely refused to take it, because, even if they could transport it to the port, the facilities for shipment were insufficient to get it away, and therefore thousands of bushels of wheat had to be left, not in warehouses, but in the open air, unprotected often for days and weeks together. Therefore he thought it must be admitted that this was an urgent and pressing case. He would not trouble the Council by reciting the

details of this Bill, which was similar to the majority of the Bills now before them. As he had said before, this Bill did not contain any provision for endowment in land, and for this reason: The wharfage dues which were collected in Lyttelton were considerable, and were a steady, reliable source of income, upon which it was thought there could be no difficulty and no danger in raising the amount of money which was required to complete the harbour works. It was thought more fair and more reasonable to borrow money upon the security of these rates than to come upon the province for a further endowment of waste lands. Although in other cases honorable members had refused to sanction borrowing powers, yet, when they had a case like this, in which a large amount of money had been spent on a harbour having a revenue of £12,000 to £15,000 a year from wharfage rates, they ought not to refuse the power to borrow. If capitalists were ready to lend money upon the security of these rates for the further improvement of the harbour, he knew no more legitimate proceeding for which the consent of the Council could be asked. It was money that could be fairly and safely borrowed; and he still hoped, notwithstanding the objections that had been raised to borrowing in other cases, that this would be deemed a case in which borrowing was justifiable. The amount proposed to be borrowed was large, and he would not object to have it cut down even to the extent required for the works to be carried out during the next twelve months. If that were done, the Board could come to the Parliament next session for further powers. The amount asked for was £250,000, which, upon the whole, would not be an unfair amount, but obviously it was more than would be required for the present. These were the main features of the case. Here was an important harbour—the outlet of a very important district—upon which the Provincial Government had spent a large sum of money. There were works actually in progress which were incomplete, and which the cessation of the Provincial Government would leave no machinery to carry on. He must refer to the statement made that day to the effect that the Superintendent of the province was of opinion that no machinery was required in this case. That statement was erroneous: the Superintendent had not said so. Assistance was not asked from the Colonial Government. The Bill merely asked authority to raise money on the security of the rates collected in the harbour. The Bill also provided to enable these works to be carried on. He did not think if he were to detain the Council much longer, which he would be very sorry to do, he could state a fairer case for legislation than he had now done. He begged to move the second reading of the Bill.

The Hon. Mr. CHAMBERLIN said that about six months ago he had the pleasure of visiting the harbour of Lyttelton twice—once when going down the coast, and once on returning, and he agreed with the honorable gentleman that it was an excellent harbour. The entrance to it was open and clear, and, as far as he could see of the works that had already been constructed, he

thought that the harbour of Lyttelton might for some time to come rest content. As far as he remembered, there were vessels of large size lying inside the breakwater, so far as it had been constructed. He understood that it was intended to carry the breakwater into deeper water; but, still, when he was at Lyttelton, there were large vessels lying alongside and connected with the railway. Under those circumstances, he thought it was quite unnecessary to make the port of Lyttelton an exception in dealing with all the Harbour Bills.

* The Hon. Mr. HALL thought it desirable to state that although large vessels did lie alongside the wharf, still occasionally they touched the ground. Of course, that was a very unsatisfactory state of things—one which frightened underwriters, and deterred shipowners from sending their vessels to the port, and of course it was a state of things with which they ought not be satisfied.

Bill read a second time.

TIMARU HARBOUR BOARD BILL.

* The Hon. Mr. HALL, in moving the second reading of this Bill, said its object was to provide a harbour for the southern portion of the Province of Canterbury. The details of this Bill were pretty nearly the same as those of the other Harbour Bills which were before the Council. It constituted a Harbour Trust, the members of which were to be elected by the Mayor and Borough Council of Timaru, and by the Road Boards constituting the southern portion of the province. Therefore the whole of the southern district of Canterbury would be fairly represented in the Trust. The Bill then went on to organize the working machinery of the Trust, and proposed to give borrowing powers to the extent of £100,000, and endowments to the extent of 49,000 acres. The circumstances of this case were in some respects similar to those of the last. Timaru was the port from which the produce of the southern portion of the Province of Canterbury had for many years past been shipped. It was the only port in the southern portion of the province—the only place from which shipment could take place. A pamphlet had been circulated amongst honorable members during the early part of the session, giving full information as to the extent and character of the country which was to be served by this harbour, as to the amount of produce to be shipped, and generally as to the trade which was affected by this Bill. With the permission of honorable members, he would quote a few figures from it. The total area of South Canterbury, which was the portion of the province south of Rangitata, was over 4,000,000 acres, and of that area no less than 2,774,000 acres were stated to be available for agricultural purposes. The quantity of land actually purchased up to April, 1876, was 571,000 acres. Then the produce of grain in the year 1868-69, from 10,000 acres, amounted to 256,000 bushels; but in the year 1875-76, the amount of produce, a great part of which had been shipped from Timaru, grown from 46,000 acres, amounted to no less than

1,844,000 bushels. The amount of grain concerned in this case was very large. The annual export of wool, which in 1868-69 was 9,651 bales, in 1875-76 had risen to 14,571 bales. And he should state that the whole of the wool raised in the district was not shipped from Timaru. It was estimated that the total yield of wool in the district was over 20,000 bales. The value of goods imported from places beyond the limits of New Zealand, which in 1864 was only £28,000, had last year risen to £116,000, a rate of progress which he thought was not exceeded, if it were equalled, by any other part of New Zealand. The next item was a very important one, because the cost of importing coal under existing arrangements was very heavy; and this was one of those articles the cost of which would be greatly diminished if a tolerable harbour were constructed at Timaru. The coal imported in 1864 was 286 tons; in 1876, the quantity imported was 4,000 tons. He would also state, if necessary, the quantity of timber imported; but he did not think honorable members would require that to be done. Besides these items, there was a considerable quantity of miscellaneous articles, such as preserved meat, tallow, flax, &c., imported. The number of vessels that went to Timaru, distinguishing steamers from sailing vessels, was as follows:—In 1864 the number of steamers was 67, and in 1875 the number was 216. In 1864 the number of sailing vessels was 46, and in 1875 the number was 164. The estimated revenue of the port—and this was a most important item—assuming that the breakwater was complete, based on the shipping returns of 1875, would amount to about £11,400. The saving to be effected by the breakwater, as compared with the present charges for the shipping and landing of goods, would amount to £3,856 on landing and shipping charges, £20,812 on freight, and £1,800 on insurance; the total saving to the district being not less than £26,000 a year. He had thus quoted statistics which would give honorable members an idea of the amount of trade involved, and of the disadvantages under which that part of the colony now suffered. At the present time, everything had to be shipped in surf-boats; and although considerable expense had been incurred to provide as efficient a landing-service as practicable, the cost was very great, and the delay was very injurious. The question had been long under the consideration of the provincial authorities; and various engineering authorities had examined the facts of the case from time to time. The late Mr. Balfour investigated the facts more than once, and reported on the case. Mr. Carruthers, the present Engineer-in-Chief, had also reported; and, lastly, the Provincial Council of Canterbury voted a sum of £2,000, to enable a report to be obtained from the very best engineering authority on this question whose report could possibly be obtained. The highest engineering authority on the question of harbours in the British Empire was, he supposed, Sir John Coode. He was a gentleman under whose direction a harbour had been constructed at the Cape of Good Hope, and a harbour was also being made at Colombo. That gentleman did not come to the colony himself, but

sent an assistant, with whose qualifications, of course, he was well acquainted, to collect full information as to the circumstances. This assistant, after residing for two months at Timaru, took home the information collected by him, and upon that, Sir John Coode had made a report, which was also included in the pamphlet to which he had referred. The substance of the report was that there was every reason to believe that a very fair harbour could be constructed at Timaru. There was no denying that it was a work of considerable difficulty; but Sir John Coode arrived at the conclusion that a very fair harbour could be made—not, perhaps, in which vessels from England could safely load and unload, but at which vessels of very considerable tonnage could do so. He would not trouble honorable members by reading the report at length, and would merely quote a few concluding words:—

“I estimate the cost of the works as follows:—

“For the works recommended to be constructed in the first instance, viz. the mound of blocks, 400 feet of quays, the viaduct complete, and the temporary staging, £240,000.

“For the works to be undertaken when the trade requirements render more extended quays necessary, viz., completing the harbour and parapet walls, forming permanent inshore, and constructing the jetty, so as to complete the designs to the full extent shown upon the drawings, £79,000.

“These figures are based upon the supposition that the works are executed without the intervention of a contractor, as in the case of harbour improvements of a similar character now being constructed under my direction by the Colonial Governments of the Cape of Good Hope and Ceylon. Sufficient allowance has been made for contingencies, and for the provision of special plant adapted for the economical and speedy execution of the works.

“The purchase of land, should the same be required, and the formation of the lines of railway upon and in connection with the quays and viaduct, are not included.”

Therefore, the Council had in this case what it had not had in regard to any of the other Harbour Board Bills—it had a report from the very best authority upon cases of this kind. If they were to delay the matter for another year, or even two years, they could not get information from a higher authority than they had; and that authority said a harbour could be constructed which would be of considerable advantage to the commerce of that part of the colony. The Provincial Council of Canterbury, recognizing the claims of that part of the province, had voted a sum of £100,000 towards this work. That sum would be available, and if provincial institutions had continued, no doubt steps would already have been taken for putting this work in hand. From local resources there was also a sum of over £6,000 which had been set apart. Therefore there was altogether a sum of £106,000 with which to commence the undertaking. The Bill proposed, after the Board had been constituted, to transfer these moneys to the Board; and it also proposed that the Board

should receive an endowment of land to the extent of 50,000 acres. He had already trespassed upon the attention of the Council that evening upon this particular subject to such an extent that he would not refer to it again. He had endeavoured to argue the question of whether Crown land was not fairly applicable to the improvement of harbours; but he must say that if there was any case in which such a principle was fairly applicable, it was the present one. In some cases, objection had been made to a proposed endowment of land, on the ground that it would be an injustice to the particular district in which that land was proposed to be taken. It had been said, and with some reason, that it was unfair to a district that so large a block as 50,000 acres of land should be taken out of a particular district, and the proceeds of it applied entirely to public works in another neighbourhood. In this particular case, that objection had been considered, and was entirely obviated. The land had been carefully selected in the six road districts into which the southern part of Canterbury was divided. A great part of it was selected in small blocks, as honorable members would see by the schedule, and it was distributed over the whole of the southern portion of the province, so that no particular district would have to bear the burden of the construction of these works. The land was not to be placed within the control of the Trust. It was proposed that it should be disposed of by the Waste Lands Board under the ordinary land regulations of the province—namely, sold at £2 an acre; and until it was sold, let for pasturage purposes, and the proceeds handed over by the Receiver of Land Revenue to the Board. It was also proposed in the Bill that the Board should have power to borrow to the amount of £100,000. With the land endowment, the £106,000 at present in hand, and this £100,000 now proposed to be borrowed, he thought there would be a very fair hope that the work could be not only commenced, but carried out to completion. That was the manner in which this very difficult case was proposed to be met. The people of Timaru had, for a very long time past, set their hearts upon the construction of this work. They believed that it would be of very great advantage to that portion of the province; that it would enable them to ship agricultural produce, of which a large quantity would be raised in the southern half of the Province of Canterbury, which was by far the most fertile portion of the province. He did not know enough of the colony to say that there was no part of it of the same extent of such average fertility, but there was a very large amount of excellent land in the district, and it was by far the finest part of Canterbury. The disadvantages under which it laboured honorable members would, he was sure, realize, when they considered that all the produce shipped at Timaru had to be shipped in surf-boats, which, after all that had been done by the Government to help the landing service, was a very expensive and comparatively risky process; while the freight which vessels must charge that had to lie out in an open roadstead, must, of course, be much

higher than if they could load under the protection of a breakwater. Respecting the borrowing powers, the Council had pronounced so decidedly against them in other cases, and as, if the Council should sanction this Bill, a commencement could be made with the work without those borrowing powers, he thought he hardly had a right to press them upon the acceptance of the Council. This was not a case in which, as in the last one, borrowing was the only resource. On the contrary, there were funds with which the work could be commenced, and even if the Council should not grant an endowment, which he hoped it would, still a commencement could be made with the work. £100,000 was a large sum of money; and the promoters believed that when this sum had been expended on this work, they would be able to show to the Council that it was so likely to be successful that they would have no difficulty in obtaining the sanction of the Council to such further steps as would enable the work to be completed. Therefore he would not press the borrowing powers on the Council, but he still hoped they would not refuse the endowment. He felt sure they would not refuse to sanction the establishment of machinery which would enable this great work to be commenced.

* The Hon. Colonel WHITMORE said that considering the name at the head of the Bill—a very honored name in this country—he heartily wished that he could support the prayer of the Bill. But he must bear in mind that this measure was for a work of an experimental and speculative character, and the Council had received as yet no indorsement from the very high engineers whom this country had imported, and whose opinions were consequently available, and which, in his opinion, ought to have accompanied the explanation which was given to them by the honorable gentleman. It was quite true that Mr. Carruthers was quoted, and also Mr. Balfour, as to the possibility of making a harbour at Timaru; but what had not been told them, and what he was afraid was the essence of this question, was, did those gentlemen agree that, for the sum mentioned by Sir John Coode, such a harbour as he proposed could be erected at Timaru?

* The Hon. Mr. HALL said that Mr. Balfour died long before Sir John Coode's report was made.

* The Hon. Colonel WHITMORE said the honorable gentleman had misunderstood him. He said that Mr. Balfour and Mr. Carruthers had expressed opinions to the effect that a harbour should be made at Timaru; but that what had not been told them, and what was a matter of importance, was, that the opinion of the high-class engineers who were now in the country, to the effect that the estimate of Sir John Coode was practicable, and that the harbour works could be constructed for the sum mentioned, had not been given. If those estimates were not too sanguine, he presumed that the Government would find it its duty to support this proposal, although it was fair to say there was no part of the whole Colony of New Zealand that had been so generously and so liberally treated as Timaru. The constitution of the Timaru and Gladstone

Board of Works had resulted in an enormous expenditure of money in the district. The Public Works and Immigration policy resulted in the most liberal expenditure on railways there; and now, because they had been so fortunate, they thought, that to them, as having so much, more must be given. For his part, he would like to see them get more, if they could do so without violating the first principles, which he conceived them to be, of legislative action; and he thought the first principle of legislative action was, that wherever large sums of money were to be expended out of the public wealth, they should have those sums brought forward by the Government itself—advocated by the Government after it had, with its peculiar advantages, made itself acquainted with the circumstances, and satisfied itself that those sums would be sufficient, and that the project was in itself feasible. This was entirely a new work that was proposed. Nothing had been done in this matter that the ocean could destroy—nothing that was likely to go to ruin if they delayed action for the present; and when he said for the present, he meant until the Government itself grappled with this question, and expressed an authoritative opinion. The Council was asked to usurp the functions of the Governor in Council, and, with their limited knowledge on the subject, approve of this work, which by law ought to be reserved for the assent of the Governor in Council. Honorable gentlemen could have seen from the Act of 1874, read by the Hon. Mr. Bonar, that projected works in harbours could not proceed without the deliberate assent of the Governor in Council. Now they were asked to pass a Bill to declare that such a work should proceed. That was what they were practically asked to do. The urgency of this case was no more than the urgency of other districts, which had been much more unfortunate. He believed every possible care had been taken in bringing forward this Bill. The proposal had been thoroughly gone into, for, as far as he was aware there had been six years of careful investigation, and the highest authority had been consulted. The ancient Roman principle, which was once adopted on the western coast of Italy, had been resuscitated by Sir John Coode, who proposed to make a kind of island in the sea, allowing the drifting shingle to pass between the shore and the harbour works. It was ingenious, and no doubt carefully worked out. The only point on which he had any hesitation was the question of expense, and he was inclined to believe that the estimate of Sir John Coode was likely to be exceeded. This gentleman was in the habit of taking large contracts of this kind; but he carefully guarded himself from saying that he would undertake this work at the estimate he named. Moreover, it was remarkably suggestive that Sir John Coode said those works should be undertaken without the intervention of a contractor. What did that mean? That showed that he was by no means satisfied that he could fix the limit of the expense; and he (Colonel Whitmore) was not at all prepared to say that they could rely entirely upon that great work being carried out for the exact sum, or anything like the sum suggested.

He was afraid that if they passed the Bill in its present shape, they would be practically taking the responsibility of saying that the work could be done for that amount, and they would be exposing themselves to another demand next session. With reference to the honorable gentleman's argument, that the land was applicable to those purposes, it did not appear to him that harbours alone were entitled to that assistance. Every district would like to get rid of taxation; and what was the giving of a large sum of money, or of land, but getting rid of a certain amount of taxation? Whether it was harbour dues, or any other contribution, it must come out of the pockets of the settlers. The Provinces of Canterbury and Otago had been very liberal in the matter of reserves, to save themselves from taxation. The land had been liberally applied to educational purposes; so that, in process of time, when all the other parts of the country would have to pay heavily for education, those provinces would have little or nothing to pay for it. With reference to what was said about the unfairness to the district of allowing land to be taken for such a work as this, this Bill did not mean that Canterbury was to present Timaru with 49,000 acres of land. What he wished to point out was, that this Bill pointed out a different course from that described. This Bill was scrupulously fair and just, as its intention was that those two counties which were absolutely benefited by the harbour, should alone suffer in respect to the reduction of the Waste Land Fund. This was a feature in the Bill which secured his sympathy; and when it came before the Waste Lands Committee, he would approach it with a much greater desire to support it than any of the others. In all the Bills, he thought, there was an element in reference to the land, in respect of other portions of the district, which did not command his sympathy. They were asked for instance, to set aside 25,000 acres of land in the Manawatu for one of these harbours, and that was actually taking it away from the Provincial District of Wellington, because the surplus land revenue went to all the counties of the provincial district; and if the whole or a great portion of the surplus was devoted to the improvement of a harbour, it would be only a particular district that would derive any benefit from it. He admitted that what the honorable gentleman had said was perfectly true about the people of Timaru setting their hearts upon this work; and they had given the best possible proof of their desire by the way in which they had prepared this Bill, and by the great pains they were at to obtain the opinions of the best authorities on the subject. He wished that all the public works of the colony had been undertaken in the same careful way. Honorable members would recollect how they had begged and prayed to have at least one year to survey the lines of railway that they were asked to sanction some years ago, and it would be remembered how those making that demand were pitilessly ridiculed and ignored by the majority; and how, not many months afterwards, those who voted against that demand, and the whole country, admitted that the minority were right. This Bill

would of course go to the Waste Lands Committee; and even if the honorable gentleman was disappointed in not being able to carry all that he wished in regard to it, he would, at all events, have the satisfaction of having that Harbour Board constituted; and, from the liberality and good fortune of his province, they would have £106,000 to begin with, so that the work would not be entirely postponed, even if the provisions of the Bill with regard to endowment and borrowing were struck out.

The Hon. Mr. MENZIES was willing to admit that a better claim for endowment had been made out in this case than even in the case of the Bill which he had the misfortune to bring to such a lame and impotent conclusion in Committee. The port of Timaru was the outlet of a very rich agricultural district. It was not a harbour in the common acceptation of the term, but the works which had been proposed, for the construction of which the present Bill had been introduced, would make it possible to ship both wool and grain with less risk than had hitherto been the case. He would support the Bill as far as regards the endowment. With regard to the borrowing powers, as the Council had already set its face against these borrowing powers—a resolve in which he concurred—he would not be able to support that part of the Bill. He did not think it was necessary to go much into detail in this matter, after the very full explanation given by the Hon. Mr. Hall; but he thought it necessary to refer to some remarks made by the last speaker, who had, he thought, got himself into a certain degree of contradiction, in declaring his readiness to sympathize with endowments in such cases as this, where the Land Fund was charged upon the counties, and telling them, at the same time, he considered it very unfair to make a general charge for such purposes over a provincial district. He thought the honorable gentleman overlooked this fact, that the works were not meant for any particular locality, but were intended for the benefit of a much wider area, and that was especially the case in the present instance. This was a harbour work to facilitate the landing and shipping of imports and exports over a wide extent of country. He therefore held that the community in the district likely to be benefited by such harbour works ought to bear their share of the expense. He did not say they would bear the expense under a system of endowments, because the money would not come out of their pockets; it was money arising in that district; and he thought that the spending of that money in harbour improvements was a legitimate application of land revenue. The legitimate application of the land revenue had been frequently said to be the construction of such public works as would facilitate the transit of produce and imports, and would encourage and extend the settlement of the land. He did not know a more legitimate purpose for the application of the land revenue than the improvement of these works, which would facilitate navigation. There were two or three points in the speech of the Hon. Colonel Whitmore to which he wished particularly to refer. First of all, that honorable gentleman said, "The report of

Sir John Cooke was all very well in its way, but it ought to be submitted to our engineers here. He only knew Timaru by hearsay, and, after all, it is only an estimate. Sir John Cooke does not even offer to contract for this work at his own estimate." He (Mr. Menzies) did not know that engineers of the standing of Sir John Cooke were in the habit of offering to take contracts of which they had given estimates. The very fact of his being asked to give an estimate as engineer prevented him contracting for the work.

The Hon. Colonel WHITMORE said Sir John Cooke was in the habit of taking contracts for such works as these.

The Hon. Mr. MENZIES asked if that was the case where he had been consulted as engineer. He was astonished to hear that such was the case, and he thought it was possible it might be explained otherwise. From his own experience—and he knew something of these matters—he would not have expected that a professional man who had been consulted as engineer to give an estimate, and who prepared designs for certain work, would consider it compatible with his own professional character to become contractor for those same works. However, they lived and learnt, and he might be under a misapprehension in the matter. Sir John Cooke sent to Timaru an assistant, who resided there for some time and took observations, and gathered all the information he could, and upon that information Sir John Cooke gave his estimate. Now, some honorable members, no doubt, would recollect that fifteen or sixteen years ago, at a time when the harbour of Lyttelton, although a little more sheltered than Timaru, was yet a very stormy port, and the anchorage being some distance from the shore, the Provincial Government of Canterbury desired to remedy that state of affairs, and thought to get some practical works designed which might give them the chance of making a harbour and wharves alongside which ships might be able to load and unload. They asked several residents in the province to give designs and an estimate of harbour works to be constructed, and he thought five designs were sent in, some of them by professional gentlemen and some of them by amateurs; one at least was by an amateur. These were accompanied with full descriptions. The Provincial Engineer also gave his estimate and plans, and those plans and specifications were sent Home to the Agent of the province, who, by the direction of the Government, submitted them to a Commission of Engineers composed of some of the most eminent men in the profession. The Agent was further instructed to inform those eminent engineers that if they were not satisfied with the information and plans sent, they might send out an engineer at the expense of the province, in order to examine the port, and report to them. The Commission, however, considered that the information that had been transmitted was quite sufficient to enable them to come to a conclusion, and that information led them to design and plan out a scheme differing from all those which had been designed by the residents in the province. They recommended a plan at an estimated cost of

£350,000. He now came exactly to the point touched upon by the Hon. Colonel Whitmore, who said that this estimate and report by Sir John Cooke were not to be relied upon unless some local engineer indorsed them. The report furnished by this Commission regarding the Lyttelton Harbour had since been carried out, slowly it was true; but it had now advanced so far towards completion that the amount now required would bring the total cost under the Commissioners' estimate of £350,000. He thought, if they could only rely on the qualifications of the engineer sent to inquire into the question of the Timaru Harbour—and they had every reason to rely upon the discernment of Sir John Cooke in selecting a competent man—they might fairly rely upon that gentleman giving an estimate quite within the mark. He thought that this illustration furnished a complete answer on that point. There was another point referred to by the Hon. Colonel Whitmore, which he wished to touch upon. He entirely objected to the fallacy that the Government should do this and should do that. Were they never to help themselves? Were they never to put their shoulders to the wheel? Could they not find in any locality men of public spirit, who, if they got sufficient authority, would be willing and anxious to carry out public works? He was quite sure that men would be found in every locality in the colony who, if they were only empowered by funds being placed at their disposal, would save the Government an immense deal of labour and anxious watching, and would save them from many mistakes in administration, owing to their local knowledge. He hoped the Council would agree, not only to the second reading of the Bill, but also to the granting of the endowment. It might be thought that, as he had been unable to get an endowment in the case of his own Bill, he would be glad to see others treated in the same way; on the contrary, he did not withhold his sympathy from any of these Bills. He intended to deal with the whole of them on their merits.

* The Hon. Captain FRASER would deal with this Bill precisely as he did with the last. He must say the Hon. Mr. Menzies was not very fortunate in his comparison with regard to the sea-wall and land-locked harbour of Lyttelton and the sea-wall which would be made in the face of that formidable surf which broke on the Timaru beach. There was no comparison between the two. He thought it was very problematical whether any engineer would succeed in carrying out the proposed harbour at Timaru.

* The Hon. Mr. HALL, in reply, said he would not refer to the remarks made by the Hon. Colonel Whitmore with reference to the Bill itself, because he thought they had been entirely dealt with by the Hon. Mr. Menzies. But the honorable gentleman went on to say that the people of Canterbury had availed themselves very liberally of this system of reserves to save themselves from taxation; and that in future, when other parts of the colony had to bear taxation, the inhabitants of that district would not have to do so. The honorable gentleman was entirely mistaken. He was speaking, if not in absolute, at any rate, in comparative

ignorance of the facts, or he (Mr. Hall) was sure he would not have made that statement. So far from the people of Canterbury wishing to save themselves from taxation in the matter of education, they had submitted very cheerfully and without a murmur to very considerable taxation—taxation which in other parts of the colony had not only been complained of but resisted, and a much larger amount of taxation than under the legislation of the General Assembly would be continued to them. Under their local institutions they taxed themselves more largely for education, in addition to making reserves, than the Parliament of the colony had thought right to continue.

Bill read a second time.

The Council adjourned at half-past ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 19th October, 1876.

First Readings—Second Reading—Third Readings—Railway Free Passes—Delegated Powers in Counties—Ohinemuri Land—E. J. O'Connor—Game Laws—Sitting of Parliament—Sartoris and Downe—Brogden Claims—Civil Servants—Abolition—A. E. and M. Hardy—A. Stitt—Noxious Animals Prohibition Bill—Debtors and Creditors Bill.

Mr. SPRAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Intestate Native Grantees Bill, the Thames-Waikato Railway Bill.

SECOND READING.

The Waitahuna Athenæum Bill.

THIRD READINGS.

The Waitahuna Athenæum Bill, the Diseased Sheep Bill, the Wellington Loans Bill.

RAILWAY FREE PASSES.

Sir R. DOUGLAS asked the Minister for Public Works when he would be ready to issue free passes on the railways.

Mr. RICHARDSON replied that, as all the railways in the colony were not yet under the control of the General Government, he did not consider it desirable to carry out the resolution of the House in favour of granting free passes. As soon as all the railways were under the control of the Government, free passes would be issued.

DELEGATED POWERS IN COUNTIES.

Mr. BARFF asked the Premier, What provision the Government intend to make for the exercise of delegated powers of the Governor in the counties about to be created?

Mr. WHITAKER replied that, as a rule, it was not intended to delegate the powers to the County Councils. Cases might arise where it

would be necessary to do so, and they would be dealt with as they arose; but, as a general rule, the delegation would not be made.

OHINEMURI LAND.

Mr. SHEEHAN asked the Government, Whether effect will be given to the recommendation of the Native Affairs Committee on the petition of Aperahama Tupo and fifty-five others, respecting their claims to lands at Ohinemuri? This question had reference to a petition presented by certain Natives living in the Ohinemuri district, in the Province of Auckland. Last year they presented a similar petition, which was carefully considered by the Native Affairs Committee, and a resolution was adopted recommending that their claims to certain lands in dispute should be submitted to the Native Land Court. No action had been taken by the Government, and they had been compelled to petition the Assembly again. The Committee had very carefully considered the matter again. They had gone carefully through the evidence taken last year, and had taken fresh evidence. They indorsed the view of the Committee last year to the effect that the claims of these people should not be decided by the Government Land Purchase Agent, and that they should have the right of being heard by the proper tribunal of the country. He would ask whether the Government would give effect to the second recommendation of the Native Affairs Committee in favour of giving these people the right of bringing their cases before the Native Land Court.

Mr. WHITAKER said the honorable gentleman had not told them what authority the Government had to interfere in the matter. Under the Native Lands Act, no jurisdiction or power whatever was given to the Government. The whole matter rested with the Native Land Court, and the officers specified in the Act. So far as the Government were concerned, they were not in a position to take any steps to deal with the matter in the way the honorable gentleman proposed.

Mr. SHEEHAN would like to point out that these lands were said to be purchased by the Government; and if the Government would withdraw any objection to the claims being heard in the Native Land Court, the petitioners could bring the matter before that tribunal.

Mr. WHITAKER said that if the honorable gentleman would point out to him what power the Government had to interfere in the matter, he would consider the question, and see how far the Government could interfere.

E. J. O'CONNOR.

Mr. CURTIS asked the Government, If they intend to carry into effect the recommendations contained in the report of the Public Petitions Committee on the petition of E. J. O'Connor? This petition arose out of a report made by a Royal Commission appointed to inquire into matters connected with the Colliery Reserve at Westport. The Petitions Committee had come to the conclusion that as regarded the case of this particular petitioner the sum awarded was insufficient, and they recommended that the

Government should deal with the case under the Immigration and Public Works Act in the same way as they had with other cases in which land had been taken for railway purposes. He wished to ask whether the Government intended to carry out the recommendation of the Committee.

Mr. WHITAKER apprehended that, under the Public Works and Immigration Act referred to, it was for the petitioner himself to take the necessary steps. The Act provided most carefully that everybody should receive compensation who had sustained any injury of any kind whatever. The claim could be investigated by the Court appointed for such a purpose, and no obstruction would be thrown in the petitioner's way, but every facility would be afforded him for the purpose of trying the case fairly under the Act. It was for the petitioner himself to take the first step in the matter.

GAME LAWS.

Mr. LAENACH asked the Minister of Justice, Whether he has considered the question of the Game Laws of the colony, with a view to checking the increase of hares; and whether he will take any action in that direction between this and next session?

Mr. BOWEN replied he had communicated with the Acclimatization Societies all over the colony on the subject since the honorable gentleman had asked a similar question before. They were all of opinion that it would be undesirable to take hares absolutely out of the Schedule of Game in the Protection of Animals Act. Most of them were of the same opinion as the honorable gentleman and himself, that the period during which it was lawful to kill hares should be extended. They had not yet collected facts enough to determine how far climatic influences would favour the increase of hares in this country. So far as they were able to judge, hares would increase much more rapidly than in the old country. It was impossible to take any action this session; but the Government would watch the matter carefully, and consult with the Acclimatization Societies and other bodies interested in the matter all over the country; and if it was necessary to take any steps as suggested, before they could deal with the matter by legislation next session, such steps would be taken.

SITTING OF PARLIAMENT.

Mr. THOMSON, in moving the motion standing in his name, stated at the outset that although it referred to a very important question, it was not his intention to speak upon it at any very great length, especially as the session was so far advanced. The motion did not raise the question of the removal of the seat of Government from Wellington; for he believed that, if it was resolved that the General Assembly should meet every year in one place, perhaps the city of Wellington would be the best. Neither did the motion raise the question that the General Assembly should be a peripatetic body, meeting one year in one centre of population and another year in another centre of population; but his motion meant that, considering the circumstances of the colony, it

was desirable that the General Assembly should occasionally meet in some of the large centres of population. Considering that Dunedin was a large place, and that the General Assembly might be amply accommodated in Dunedin without incurring any very great expense, he thought he was justified in asking the House to agree that the Assembly should meet next year in Dunedin. He was quite willing to admit that this proposal would be attended with some disadvantages, but he was sure there were advantages on the other side, and that the advantages very much counterbalanced the disadvantages. One disadvantage was the expense that might be incurred by the General Assembly meeting next session in Dunedin. Five years ago this question was before the House, and it was carried by a majority of two to one that the Assembly should meet in the following session in Dunedin. During the recess the Government sent down the Colonial Architect and the Clerk of Parliaments, who presented a report to the House the following session, by which it appeared, from the investigation they had made, that the expense would only amount to £4,300. This expense, he thought, might be very considerably reduced. There was this other inconvenience: that it would not be so easy for the Government to communicate with the heads of the departments so as to obtain the information that it was necessary for the House to be supplied with when in session; and it would not be so easy, perhaps, for the Government to furnish reports that honorable members might ask for; but the reports that were usually asked for, in addition to the ordinary departmental reports, were pretty well known, and the Government might be able during the recess to have all the information the Legislature might require made accessible, and any additional information might be easily obtained by telegraph. On the other side there were a great many advantages that would result from the General Assembly meeting occasionally in one or other of the large centres of population. Members would very much extend their information regarding the colony. That was an argument that might at any time during the past history of our representative institutions have been advanced in favour of the General Assembly meeting occasionally in some of the large centres of population; but at the present time it was an argument which could be used with much greater force than it could at any former time. A great deal of the legislation that had now to come before the General Assembly was very much of a local character, and it was reasonable to suppose that members, by meeting sometimes in one of the principal cities, would be better able to cope with the questions that were likely to come before them. It would also be a very agreeable change to honorable members. Members by coming to the city of Wellington for four or five months might be said to incur a great deal of inconvenience, and to submit to a certain amount of sacrifice, which must be constantly increased by always meeting in this comparatively small city. He thought that an agreeable change and the convenience of members were not matters which in the

legislation of the country ought by any means to be despised. Again, it would give large centres of population an opportunity of becoming acquainted with the Legislature. At present, except to the people of Wellington, the Legislature was a sealed book. The people all over the colony took great interest in the proceedings of the Legislature, but the only information they could obtain was by means of *Hansard* and the public Press. If the large centres of population became better acquainted with the proceedings of the Legislature, they would take much more interest in those proceedings, and the advantages would be mutual—the House itself would be brought more in contact with these large centres of population. Another advantage that would result would be this: the city of Wellington is largely occupied by Civil servants, and it was not in the interests of that city to see either the number or salaries of Civil servants reduced. There was this other consideration: that the interests of the people of the city of Wellington were peculiar. He would not say that in this respect Wellington differed from other cities; but there was no doubt that the tone of feeling in Wellington was that everything should be centred in that town. Honorable gentlemen coming up to Wellington received a considerable amount of kindness from the citizens; but it might be said that, in so far as politics were concerned, they must be kept very much in the background. The sympathies of the citizens of Wellington and those of a large number of members did not coincide, so that, when they entered upon subjects of conversation, those subjects must be of a social character. In Dunedin, members would find no difficulty in finding accommodation, and he believed the two Houses of Assembly could also be easily accommodated. There was likewise this that had been patent to all members of the House during the session, that a great number of honorable members had been very unwell. It was stated on the previous day that no less than half the members of the House had been ill during the session. He did not know whether that was owing to the House itself, to the climate of Wellington, or to the very hard work imposed upon honorable members. It was, at all events, a fact that a large number of members had been ill, and, putting it on the lowest ground, it could not be expected that in Dunedin or any other place they would be worse than they had been in Wellington. In Dunedin especially, the climate was very bracing. Referring again to the question of expense, he might say that in one matter alone a considerable saving might be effected—and that was in respect to *Hansard*. If the General Assembly were to meet in Dunedin, *Hansard* might be dispensed with altogether. When the Assembly met in Auckland, he believed the local Press reported the debates very faithfully, and he had no doubt the same would be the case in Dunedin. He did not wish to say anything in regard to the Wellington papers. Wellington was a comparatively small place; but he thought the newspapers, and especially the morning paper, might be slightly im-

proved, and should not show so much partiality in its reports. If it had not been for *Hansard*, the proceedings of the House must have appeared in a guise very damaging to the party which was spoken of as the Opposition. If the Assembly met in Dunedin, the expense of reporting the proceedings would to a very large extent be saved, because, Dunedin being a large place in comparison with Wellington, the proceedings of the General Assembly would be very fully reported by the newspapers. For these reasons, he had very much pleasure in moving the motion.

Motion made, and question proposed, "That, in the opinion of this House, the next session of the General Assembly should be held in Dunedin."—(*Mr. Thomson*.)

Major ATKINSON, like his honorable friend, would not trouble the House with many remarks. He might compliment the honorable gentleman on the case which, considering the difficulties he had to contend with, he had made out. But he submitted that the whole argument amounted to nothing more than that it would be nice to have the next session of the General Assembly held in Dunedin. All honorable members would no doubt agree that a change would be very desirable; all would like to see Dunedin, and no doubt would be very hospitably received. The honorable gentleman should, however, remember that those honorable members who were in opposition to the politics of the people of Dunedin, would have the same difficulty in the matter of conversation that the honorable member's friends had in Wellington: not that it was a disadvantage, because honorable gentlemen had quite enough of politics in the House, without importing it into private conversations with their acquaintances. Seriously speaking, he did not think the House should for a moment entertain this proposal. The expense alone would be an answer to it, in the present state of the finances of the colony. The impossibility of getting returns, &c., if the session were held in Dunedin, would not only cause great inconvenience, but would greatly increase the cost of meeting there. He trusted that the House would not consent to the motion.

Mr. PYKE said he had an amendment to propose for the consideration of the House—namely, That the word "Dunedin" be struck out, with the view of inserting the word "Cromwell" in lieu thereof. The desirability of doing this was apparent, as Dunedin was but a corner of the Middle Island, whereas Cromwell was the immediate centre of it. Cromwell was just as near the East Coast as the West, and therefore it was central. His own district was within twenty miles of the West Coast, while it was 140 miles away from Dunedin. His Honor the Superintendent of Otago had over and over again declared that Cromwell was the natural centre of the Middle Island; and if any part of Otago was to be the seat of Government, it should be a central part. If the threatened disturbances arose, it would be very easy for ships of war to shell Dunedin; but they could not possibly shell Cromwell. Speaking seriously, he hoped the

honorable member for Clutha would not press his motion. He did not want to see Dunedin placed in the same position as other towns that he could name, which, owing to certain circumstances, were incapable now of relying upon their own exertions. He was quite certain that Dunedin would be more prosperous without the introduction of a host of those Government officers, for whom the honorable member for Clutha appeared to entertain such aversion. Dunedin did not want to lean on Government crutches, as it was already in a most flourishing condition, occupying relatively to the rest of the colony the position of a Liverpool or a Glasgow. If this motion were carried, members from the North and from the West Coast would have to go to what might be called a remote part of the colony for a considerable portion of the year. He felt compelled to vote against the motion.

Mr. BARFF said he should feel himself compelled to vote for the resolution, but, at the same time, he was bound to sympathize with the honorable member for Dunstan, who thought Cromwell should be the seat of Government. His opinion was, that if the honorable gentleman who moved this resolution had consulted himself and other members, he would have been advised to divide his resolution into two parts, the first being that the next session of the General Assembly should not be held at Wellington, thus leaving it to be afterwards decided where it should be held. Had that been done, he believed that, on a vote being taken on the motion, there would have been two or three to one in favour of it. He had given his vote in favour of removing the seat of Government from Wellington on many occasions, and he believed that, until some great change took place, he would continue to give his vote on all possible occasions in the same way. He was quite prepared to vote that the seat of Government should be held at Cromwell or Blueskin, or even at Some's Island, so long as it was not to be at that horrible place Wellington. Honorable gentlemen came up to Wellington to be stifled and baked as if they were in a camp-oven, until they had actually to leave the House. Between Colonial Architects and Chairmen of House Committees, and bad ventilation, it was impossible for honorable gentlemen to attend to their duties. He had nothing to say against the climate of Wellington during the present session, as it had been exceptionally good; but he did say that there were reasons why the seat of Government should be removed permanently. He would say, with all due respect, that Wellington was beginning to exercise a very undue influence with regard to the rest of the colony. He might refer to the vote which was annually made for the Botanical Gardens. He could not see why similar sums should not be voted for other Botanical Gardens. He had not been in the Wellington Botanical Gardens himself, but he heard it was a disreputable place. There were growing up in this city very large buildings. They saw the new Government offices on the reclaimed land. Some said, that those buildings had only been put up so that the Government and their supporters could point to them and say,

"We have been to such and such expense, and what is the use of taking us away to another place where we shall have to put up the same buildings?" His opinion was that Picton or some place in the neighbourhood of Queen Charlotte's Sound would be the best place for the seat of Government; or he would be satisfied with Nelson—in fact, any place would be better than Wellington. Until some good reason was given why Wellington should remain the seat of Government, he would continue to give his vote, as he had done session after session, against it. He held that Wellington was the most unsuitable place for the seat of Government in the colony.

Mr. MANDERS thought it was very important, when honorable members had to come from all parts of the colony to Wellington, that this place should be made as healthy as possible by the City Corporation. Of course, he had no right to dictate to the Corporation of Wellington, but he trusted it would take a hint, and try to do away with the unpleasant smells which prevailed in Wellington. He felt certain that the motion had not been brought forward with any idea of its being carried. The expense of removing the seat of Government was very great, as had been made clear when the seat of Government was removed from Auckland to Wellington. Wellington seemed to him to be as good a place as any other for the seat of Government. Besides, all the public buildings and documents were here. Wellington might not be the most delightful city in the colony to visit, but it must be remembered that members did not come here for pleasure, but to perform their duty as the representatives of the people. He trusted that under the County system the sanitary state of this city would be improved. He was of opinion that in future sessions the Government might very properly place the steamer "Hinemoa" at the disposal of honorable members during the session, in order that they might be able to go on excursion trips; for it was very necessary for their constituents' sake that they should have good health. He trusted that before next session the Government would take steps to make the chamber in which honorable members met more healthy, and that the Corporation of Wellington would try to effect some reform also.

Mr. REES had listened with a great deal of pleasure to the speech of the honorable member for Clutha in moving this resolution, and the only thing he objected to was the studied resemblance between that speech and the speeches generally made by the Premier when he addressed the House; and when the Premier got up and said there was nothing in the arguments of the honorable member for Clutha, he paid a very small compliment to himself. He was rather amused to hear the honorable member for Dunstan say that Cromwell, being the centre of the Middle Island, ought to be the seat of Government; but he could quite understand that the honorable gentleman should not wish to sit in Dunedin; because if the House did sit there, and the honorable gentleman chose to term the people the "rabble" or "rebel" mob, he would probably not meet with that reception which honorable

members might reasonably expect to be met with.

Mr. PYKE rose to a point of order. The honorable member for Auckland City East was putting words into his mouth which he had not used. It was bad enough to have those words attributed to him in the Press, but it was worse to have honorable members putting them into his mouth. He had spoken jocularly of the supposed rebels who were to be led by the honorable member for Dunedin, Mr. Stout.

Mr. W. WOOD also rose to a point of order. He would like to know whether the honorable member who had just sat down was justified in using the word "rebel" in connection with Mr. Stout. He thought that honorable members should not use such words.

Mr. REES was not conscious of having put into the mouth of the honorable member for the Dunstan any words which he had not used. The honorable gentleman had used either the words "rebel mob" or "rabble mob." However, he supposed it was part of the honorable gentleman's education to use such terms as those. He was somewhat struck by the remarks of the honorable member for Wakatipu. He thought it would be a very good thing if the Corporation of Wellington sprinkled eau de Cologne about the street to prevent offence to the olfactory organs of honorable members; and if the Government were to organize weekly excursion trips in the "Hinemos," and provided a band, the ladies of Wellington would, no doubt, join in the pleasures, and the members of the General Assembly would have a very pleasant time of it. But, seriously, there was a good deal in the motion of the honorable member for Clutha. If the people were to be brought face to face with their representatives—and they could not be so here, for, although Wellington was in the centre of the two islands, the Parliament was still far removed from the great bulk of the people—if the Assembly could be brought face to face with the great centres of population at Dunedin, Auckland, or Christchurch, it would do a great deal to remove those asperities of feeling among themselves, and enable members of the House to get a true estimate of the wishes and feelings of the people. It would do more than anything else to bring about good feeling between all sections of the community, and between the Government and members of the House. He hoped the motion would be agreed to, notwithstanding that the honorable member for Waikouaiti shook his head. It would be much better, in a scattered place like New Zealand, that the Parliament should from time to time be held in the different centres of population.

Mr. DE LAUTOUR only wished to speak to one point in the argument. The Government had given them to understand that one objection to the removal of the seat of Government to Dunedin would be the difficulty of obtaining returns from Wellington. They were in that difficulty at the present time, because, when the Commissioner of Customs made a Financial Statement, Ministers had to go to the trouble to print that document in the shape of a parlia-

mentary paper, and despatch it all over the colony. That was as great a labour as obtaining returns from the papers in Wellington. He felt hardly used about this matter; because, while the honorable members for Wakatipu and Dunstan had been busy circulating these documents by the hundred, he was unable to obtain one. He hoped the honorable gentlemen would provide him with a few copies of that statement.

Mr. THOMSON said the Premier and one or two other honorable members who had spoken in opposition to the motion had really advanced no arguments that required reply. The question of holding the Parliament at Cromwell was proposed jocularly by the honorable member for Dunstan; but although it was centrally situated, it had no accommodation either for members or for Parliament. He took it that, as no other argument had been advanced against his motion, it would be acceded to.

Question put, "That in the opinion of this House the next session of the General Assembly should be held in Dunedin;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	29
Majority against...					6

AYES.

Mr. J. O. Brown,	Mr. Reynolds,
Mr. Burns,	Mr. Rowe,
Mr. De Lautour,	Mr. Seaton,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimski,
Sir G. Grey,	Mr. Swanson,
Mr. Hislop,	Mr. Takamoana,
Mr. Joyce,	Mr. Tole,
Mr. Larnach,	Mr. W. Wood.
Mr. Lumeden,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Barff,
Mr. Rees,	Mr. Thomson.

NOES.

Major Atkinson,	Mr. Pearce,
Mr. Bowen,	Mr. Richardson,
Mr. Bunny,	Mr. Richmond,
Mr. Button,	Mr. Rolleston,
Mr. Carrington,	Mr. Seymour,
Mr. Curtis,	Mr. Stafford,
Mr. Fitzroy,	Mr. Stevens,
Mr. Gibbs,	Mr. Tawiti,
Mr. Hursthouse,	Mr. Teschemaker,
Mr. Kennedy,	Mr. Wason,
Mr. Manders,	Mr. Whitaker,
Mr. G. McLean,	Mr. Woolcock.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Murray-Aynaley,	Mr. Andrew,
Mr. Ormond,	Mr. Kelly.

The motion was consequently negatived.

SARTORIS AND DOWNE.

Mr. STAFFORD, in moving the motion standing in his name, said that when, on the previous Friday, he asked the Premier in what manner the Government proposed to give effect to the recommendation of the Committee in the case of Sartoris and Downe, a recommendation which

was assented to by every member of the Committee, the Premier stated that the Government had not yet come to a decision in the matter, but would do so in a few days. He was not aware whether the Government had yet come to any decision—at all events, they had not yet made it known. He had been informed that they had been in communication with a representative of one of these claimants, and that no settlement had been come to. He knew this question was, to a certain extent, embarrassed by the fact of the relative liability of the colony and the province in the matter; but he held that to be, as regarded his motion, merely a question of secondary importance. He was free to admit that there were perhaps separate interests between the colony and the province in the matter; for it was no doubt true that a portion of the land which these claimants were entitled to on account of their original purchase had become through process of law colonial property, and not provincial, and that the proceeds of the sales of some of these lands had, he understood, become colonial revenue, and become part of the Consolidated Fund. Therefore he was free to admit that it would not be absolutely correct to ask the province, either out of its land or from its pecuniary resources, to defray the whole of the cost of these claims as they now appeared; but he looked upon that question, although one that must be dealt with between the colony and the province, as of very secondary importance to the question as between the claimants and the Colony of New Zealand. There was no doubt whatever that these claimants had got a thoroughly equitable and legal claim to consideration. The Act of 1872 might not have been an Act very wisely passed by the Legislature—he knew that different opinions were held with regard to that point; but it must be borne in mind that that Act was passed very largely on the principle of the Act passed one or two sessions previously, called the Carrington Land Grant Act; and it would be impossible, he contended, to persuade persons out of the country who had interests in these claims that their claims were equitably and honorably dealt with by the colony when they found so very great a distinction made as to their claims, which were absolutely analogous to the claims of those claimants living in the colony. The Act of 1872 was deliberately passed by the Legislature. If its provisions were not wise, they should have been objected to when the measure was brought before the Legislature. He was not aware that any strong objections had been raised, although he could not say there were none; but no very strong objection was professed by the Legislature at that time. Then, again, it had been contended that, although that Act did authorize awards in land to be given, there was virtually no land available to fulfil any such awards. He trusted that was not the real position of the case. If it was, he could hardly find words that would be at the same time parliamentary and proper to characterize such a downright evasion of all right and justice as such a proceeding would have been. It would have been exactly analogous to the Government professing to discharge a pecuniary

claim by giving a cheque on a bank where there were no effects to meet it. He trusted no such plea as that would be raised in bar of the equitable settlement of these claims. The Act of 1872 was introduced when one Government was in office, and finally passed through its later stages while another Government was in office, of which the Hon. Mr. Waterhouse was Premier. The Premier was distinctly asked the question in the other branch of the Legislature as to whether there were sufficient lands to satisfy the awards that might be given under the provisions of the Bill; and the reply of the Premier, the Hon. Mr. Waterhouse, was that sufficient land would be available, for the Government was about to acquire land within the limits of the Province of Taranaki. Well, that Bill became law, and it required executive action on the part of the Government to be taken. And the Government took that executive action: They appointed as Commissioner a public officer of their own, and therefore he would not naturally be supposed to be biassed against the Government. That Commissioner proceeded to Taranaki, and after inquiry and deliberation he made certain awards which would be found among the records of Parliament. There was a provision in the Act which required that land orders should be issued. Those land orders were issued by the Governor after the Commissioner had made his awards, which awards were made known to the Government, and were communicated by them officially to the Superintendent of the province. They interposed no objection to giving effect to the Act, but they proceeded subsequently to issue the necessary land orders to enable those awards to be given effect to. When those land orders were presented at the Land Office in New Plymouth, the answer of the Commissioner of Crown Lands was a remarkable one. It was that there were no lands available for the purpose. It was not that there were no lands available for settlement. He did not know how such an indorsement on the land orders could have been properly made. On examination, it was found that the land of the province consisted mainly of two classes—one class, that obtained under the New Zealand Settlements Act, and which was commonly called Confiscated land; and the other class, that obtained under the provisions of the Immigration and Public Works Act. It was true that in the Act of 1872, to which he had already referred, there was a clause prohibiting any land taken under the New Zealand Settlements Act from being available for the objects of the Act of 1872. In a subsequent Act, passed in the session of 1878—the Immigration and Public Works Act—there was also a clause declaring that any land acquired under the provisions of that Act should not be available for the extinguishment of these claims or for the payment of compensation of any kind whatever. If those clauses were deliberately put into those Acts to prevent the claimants obtaining land, then he could only say they were as nearly of the character of a fraud against those persons as it was possible to imagine, and came completely within the category of such a case as he had

already mentioned, of giving a cheque on a bank where there were no effects. It should be remembered that no objection was taken to the measure at the time of the passing of it by either of the two Governments holding office during the session of 1872. He might say that there were three Governments in office that session. So far as the House had any knowledge, no objection whatever was raised by those Governments or the Government that succeeded them. There was no Minute or Order in Council to show that any objection was made to giving effect to the awards made, and therefore the Government had given their assent, tacit or implied, if not positive, that the claims were chargeable against the colony, and it was now too late to raise an objection as *limine* to these claims being equitably settled. He held that it was a question of far more importance than the question of whether the province or the colony should pay a portion of the claim. The character of the colony for good faith would most certainly suffer, inasmuch as the claimants were persons resident out of the colony, and would have a perfect right to say, "You have fully provided for the settlement of the claims of your own colonists who stood in a similar position to us—you have not dealt in the same manner towards us. In fact, up to this moment you have given us nothing at all; you have in no way satisfied our claims—claims which date so far back as the year 1834." There were three or four claims against the colony that went as far back as that period. No doubt, in the earlier portion of that period, it was no fault of the colony that these claims had not been settled, because the critical disturbances in the colony interfered with the settlement of the claims by the Government. But ever since the year 1872 nothing had stood in the way of these claims being settled by the Government. He recognized that the proper position for the Government to take up in regard to these claims was to settle them, because the credit and honor of the colony were at stake. He thought he had very fairly stated the position of this question, and he could only say, with regard to the motion, that he had drawn it so as to give the widest latitude, and without indicating the manner in which the claims should be settled—whether they should be charged mainly or proportionately upon the province or the colony. He left it to the Government to come to an equitable arrangement, and he would be quite prepared to support them in doing so. At the same time, the House should insist, as far as it could insist by an expression of opinion, that there was an honorable liability on the part of the colony which required that no further delay should be allowed to interfere with the settlement of these claims.

Major ATKINSON might say that he agreed in a great measure with what had fallen from the honorable gentleman, but with two or three exceptions. It was a rather difficult question to go into, because, if he were to attempt to tell the whole story, it would take him perhaps two or three hours. He felt very sure that, if he were at liberty to relate to the House the whole circumstances of these claims, honorable members

would be inclined to repeal the Act, and refer the claims to arbitration. It must be borne in mind that although there was something due to these claimants, there was also a necessity on the part of the House to see that the public estate was not squandered. He found himself in a very considerable difficulty with regard to this matter. The House, in 1872, determined to refer these matters to arbitration, and passed the Act which had been referred to; but he was sure he could satisfy the House that that Act was passed under a misapprehension, to use a very mild expression. He believed the House was entirely misled when that Act was passed; and he had no hesitation in saying that if it had not been for the extraordinary state of parties at that time, the Act never would have been passed. He admitted that they had to face the difficulty the honorable gentleman had pointed out—that they had apparently dealt with one of their own colonists in a different way from what they proposed to do with the other outside claimants. He would like to point out to the House that there were, at the present time, claims of exactly the same nature still outstanding—claims which were equally strong, and which, if the House thought that the honor of the colony was concerned in these cases, it must take up and settle. In Taranaki, land scrip was issued to Volunteers in recognition of their services, and the House positively refused to allow them to select land, although the men were perfectly willing to settle upon it. The House positively refused to allow them to select land bought under the Immigration and Public Works Act, because, it said, "We have bought this estate to provide the provinces in the North Island with an estate to carry on the government and the settlement of the country." The House would not allow the public estate to be dissipated in the extinguishment of old claims. That appeared to him to be a perfectly reasonable position for the colony to take up; there was nothing like fraud in it. The law was enforced against *bona fide* settlers in Taranaki, and finally their claims were compensated at the rate of ten shillings in the pound. How could it be said that in refusing that land the House was treating the present claimants differently from the true settlers of the colony? The only case which was settled in another way was that of the honorable member for Grey and Ball, Mr. Carrington, who got direct compensation. The remarks of the honorable member for Timaru were not borne out by fact, when he said it was fraud to oppose such a claim as this. It was perfectly reasonable, and the House would never have been prepared to vote money to buy land in Taranaki merely to compensate claimants against the New Zealand Land Company or any other land company. One other thing he would say with regard to these claims: these gentlemen had had an opportunity from the very beginning of the colony to select one acre and a half for each acre in their land orders. Every acre of land which had been open in Taranaki since the Constitution came into force—except the confiscated land—every acre that had been handed over to the province, had been

first open to these claimants to select from. Speaking as a Taranaki man, he would say they never had objected, and they did not now object, to these gentlemen selecting under the original Act of 1858—that was to say, to take an acre and a half of land for every acre they had orders for. That was a perfectly reasonable award, although he thought something might be said against it; but he would not enter into that. There was nothing in the nature of things, nothing but the political exigencies of the session of 1872, which would entitle the House to give to those gentlemen more than an acre and a half for every acre, which the *bond fide* settlers had to take. These gentlemen had the first choice of any land open for sale, and could have taken any land they liked; and now the House was called upon by the award to give 11,000 acres of land for what could have been settled for 4,000. He would ask, For what? There was no reason at all, excepting this unfortunate Act. Although the Act gave these gentlemen a claim, it did not exonerate the House from protecting the public estate, if the House was misled in passing that Act. As a member of the Government and as a member from Taranaki, he was very desirous that these claims should be settled; and he would be prepared to endeavour to settle them. His honorable friend knew that he had for years past opposed these claims, and contended that they were unjust; that it was absolutely unfair to the colony that they should be admitted at all. When the Act was before the House, he petitioned the Legislature upon the subject, but every obstacle was thrown in his way—he was not then a member of the House—by the Government of the day in obtaining information to lay before the House. When his petition, and the petition of the leading men in Taranaki, who understood the case, was before the House, that land was given to his honorable friend the member for Grey and Bell. That was done while they were under the consideration of the House, praying that the whole thing might be referred to a Judge of the Supreme Court to determine what was due to the parties. He had throughout said, "Refer these cases to an impartial tribunal;" and whatever such a tribunal decided, he would be perfectly willing to submit to. He felt very strongly on this matter, because he believed that a public injustice had been done. He admitted there was a very great difficulty in the question, for an Act had been passed awarding these gentlemen certain compensation. He might state to the House how that award was made. The Commissioner came to Taranaki, and he asked that gentleman if he was going to hold a Court, and what sort of inquiry he was going to hold—whether counsel would appear to argue the case? The Commissioner said he had nothing at all to do but to value the land. He took no evidence, but went about inquiring of this person and that person, looked over the land, and awarded to the claimants some £17,000. The more the case was looked into, the less it would bear inspection; but the Assembly having passed this Act, and many of the claimants being outside the colony, it might be wise, in order to

avoid the appearance of evil, to settle the claims. His honorable friend the member for Grey and Bell knew that he had always fought him in the matter, but the honorable member had beaten him. The honorable gentleman had always contended that the claims were just. The claimants now started, as it were, in a different position, and he was prepared, on behalf of the Government, to enter into any reasonable arrangement to get the matter settled. He had had interviews with Captain Borrer, and he had, as a member for Taranaki, suggested to the Committee a solution of the difficulty. The mode which he would be perfectly willing to see adopted would be to allow the claimants to select land upon certain terms; but he hoped the House would not insist upon the Government either paying them £17,000 in money, nor insist upon giving them such a block of land as would practically stop settlement in Taranaki. There were only about 200,000 acres of land open for sale in Taranaki, and a great deal of that was unavailable. If they were to give the unavailable land to the claimants it would not be fair, for it would be absolutely useless to them; and giving the full quantity of available land would seriously interfere with the settlement of the country. He was prepared, on behalf of the Government, to enter into any reasonable arrangement with these gentlemen, and to make a settlement, and he had informed Captain Borrer to that effect. He pointed out to that gentleman that the Government had to protect the public estate, and Captain Borrer appeared perfectly reasonable in the matter. He considered he had a just claim, and had come to the colony to press it. The Government had no objection to the motion, and he would suggest to the mover that these words should be added: "and that the Government be authorized to negotiate with the claimants, with a view to such settlement." If the Government could come to any terms before the end of the session, they would submit them to the House; but he feared that, with the enormous pressure of business, it was almost too late to do that.

Mr. STAFFORD would accept the addition of the words suggested by the Premier.

Motion amended.

Mr. CARRINGTON said he was in a most difficult position, being Superintendent of the Province of Taranaki and also representative and guardian of these people. As guardian of their property, he was sworn to do that which was just and righteous; and were he to use words which might perhaps be parliamentary, words which he would be justified in using, he feared his honorable friend the Premier and himself would not be friends again for some little time. All he would say was, that he stood there as a man who truly believed, and conscientiously believed, that the honorable gentleman's utterances had no foundation in truth, in law, or in equity; nevertheless he truly believed that the honorable gentleman thought they had. The Assembly had no power to legislate away that land, which an Act of the Imperial Parliament had guaranteed to these people. He would refer honorable members to the Act 10 and 11 Vict., s. 23, c. 112. No power in

this House could take that right away from them. When this Assembly passed "The Land Orders and Scrip Act, 1866," he saw Governor Gore Browne, and he told him the Act was illegal, and entered into the whole matter. Governor Browne referred him to the Ministry, and they said they would amend the Act next session. He (Mr. Carrington) told them that would not do. They said, "What will you do? You cannot expect that we are going to acquire the land and then hand it over to you and your friends. The getting of Waitara will be attended with great expense." He replied, "Nevertheless, when Waitara is acquired, the land will be for me and my friends." The Ministers said, "We will not acquire it to hand it over to you;" and he said, "I cannot compel you to acquire it; I must make some arrangement with you, or it will never be acquired. What are you going to do? How much land do you wish for a township?" They said, "750 acres on each side of the Waitara," making a total of 1,500 acres; and he said he would take 75 acres immediately outside the township, for each 50-acre land order. That was on the 2nd August, 1868. Years rolled on, and the land was acquired, a township was laid out, and he of course expected to immediately get the land outside the township. What took place? The Government thought proper to make their own arrangements and give the land back to the Natives. The Natives had been dealing with it, by selling it to the white people, and doing as they pleased with it. He had fought this matter year after year until he ultimately got into Parliament. He had never charged anything for his services, not one farthing, and he had never even kept an account of anything he had done. He was acting for twenty-three people, but he only represented two. He did not know the others, and got nothing from them. He trusted that every member of the House would hear what he was saying. He asked for Committee after Committee to inquire into the matter. He then got into Parliament, and went to Mr. Fox, the Premier, and said to him, "Unless you bring in a Bill to have this Waitara matter settled, I will bring the whole case before Parliament." The Bill was brought in. Mr. Fox and Mr. Sewell went into the whole question, and they said that the Government had come to the determination that each claimant should prove his own case separately. The consequence was that he (Mr. Carrington) appeared, and proved his case. But when the Bill arrived in the Upper House, he believed he was looked upon almost as a rogue, although the most searching inquiry had been made by the Minister of Justice (Mr. Sewell), and the House, and the claim proved. He must refrain from expressing his opinion regarding the Act of 1873, of which so much had been made, and which was said to be slipped through the House in some way. Under that Act a Commissioner was appointed, without his (Mr. Carrington) being consulted with regard to who should be the Commissioner. A gentleman in the Government service was appointed, who went down to Taranaki; and, after a most searching inquiry as to the value of the land, valued it at not more than

about half its true value. He (Mr. Carrington) had tried to get the land orders for nearly two years previously, but did not get them until within three weeks of the expiration of the two years allowed by the Act for their being available; so that in three weeks more they would have been null and void. He, on getting them, went to the Land Office, and presented the orders. But what was the answer? "No effects; no land to give"—a dishonored bill, bearing the signature of the Governor of the colony. He held those orders in his possession, still signed "Normanby," Governor of the colony. He now came to the House asking for redress. He could dilate for hours upon the injustice that had been done, but he would refrain from doing so, and would leave the motion in the hands of the House, trusting to its sense of right and justice.

Mr. MURRAY, as one of those who opposed the Bill passed in 1873, must decline to accept the responsibility of agreeing to this resolution. He remembered well the scenes which took place in 1873, and that the House, while laughing at the address delivered by the honorable member, still conceded all he wanted.

Mr. SHEEHAN would under ordinary circumstances have moved the adjournment of the debate, because, after the powerful statement of the honorable member for Grey and Bell, it would be difficult to come to a true conclusion; but he would bear in mind that that honorable gentleman did not often trouble the House, and when he did, he spoke effectively; and although his speech might influence a vote or two in his favour that might otherwise have gone against him, he ought not to lose the benefit of his eloquence. He (Mr. Sheehan) supported the Bill which was brought forward at the honorable gentleman's instigation in a previous session, and remembered well the warm debate which took place in the House on that occasion, the speeches the honorable gentleman made, and the loud applause he received from all sides of the House. He therefore felt bound to support the honorable gentleman again on the present occasion. There had been a great deal of talk about the colony not being willing to give up its lands to satisfy these claims; but that was not the question. The question was, "Are these claims just?" If they were, they should be settled in money or land. The fact of these unsettled claims existing had, he believed, done more harm at Home than honorable members were aware of; and wherever such claims existed they ought to be settled at once, as they would be if the matter were between private individuals. The honor of the colony was at stake, and the honorable gentleman was right in pushing these claims to the utmost. None had gone through greater suffering than the early settlers of Taranaki, who, it might be said, came there with their heads in their hands, and made the settlement and civilization of the colony possible for those who came after them. And yet, notwithstanding the claims of men who had paved the way for those succeeding them, they were to be jumped upon in the most unqualified and unjust manner. He would support the motion of the honorable member for Timaru.

Mr. KELLY said, if the gentleman who had just sat down had been correct in his remarks when he spoke of the claims of old settlers in reference to the present claim, he would have had more sympathy with the motion now before the House; the fact of the matter being that the claim now made was not one by old settlers, who had encountered the difficulties incident to early settlement in New Zealand, but was the claim of absentees, who declined to accept the terms which the old settlers had by law been compelled to accept. These claimants were very fortunate in obtaining the support and championship of the honorable member for Timaru. He hoped, when the claim of any struggling settler for compensation came before the House, that his advocacy would be equally available. But it was a matter of notoriety that claims of this character, involving large sums, and advanced not by struggling settlers, but by persons commanding large social influence, had, as a rule, more support in the House. The position of these claimants under the Act of 1858, and prior to the passing of the Act of 1872, which placed them in an exceptionally favourable position, was this: They were entitled to select one acre and a half of land for each acre to which they were originally entitled; and a large number of persons in the same position as the claimants accepted those terms, and selected land. These claimants and others declined to select out of the lands which were from time to time open for sale in the province. In 1872, they had influence enough in the House to get an Act passed which practically rewarded them for refusing to accept the terms which actual settlers in the province had been compelled to accept. This Act authorized the Government to appoint a Commissioner to value the original selections, and, at the time the Act was before the House, he protested against its provisions and the exceptional way in which it proposed to deal with their claims. He implored the House to define the duties and powers of the Commissioner, so that an excessive award would not be made—one that would be unsatisfactory to the House and to the colony. He had a lively recollection of the dangerous awards of Government Commissioners who were not bound by specific instructions. There was the case of one John Kelly, of Auckland, which came before the Public Petitions Committee, and the Committee considered his claim would be satisfied by a payment of about £300 or £400, but refrained from making a specific recommendation, as they thought that a careful inquiry on the part of some person appointed by the Government on the spot would elicit the amount to which he was entitled. A Commissioner was appointed by the Government, and he awarded about £10,000, on the express statement of the claimant, without the Provincial or the General Government being represented on the inquiry to argue against the claim. The same course appeared to have been pursued by the Government in the case of these persons. The Commissioner made his award without hearing any person on the part of the province or the colony; and the consequence was that these claimants had received exceptionally

good compensation. But the Act of 1872 provided that no confiscated lands would be available for the satisfaction of these claims, and the honorable member for Timaru was in error when he said that the lands obtained under the Public Works and Immigration Acts ought to have been available. The fact was that these lands were confiscated lands; and not a single acre of land had been in the possession of the Government of Taranaki since 1872, except confiscated lands. All the lands said to be purchased from the Natives were simply confiscated lands, which the Natives concerned allowed to be peaceably occupied on the payment of money. The confiscation was never lifted off the lands which were handed over to the Province of Taranaki under the Immigration and Public Works Act. Therefore the only lands that were available were some 6,000 acres belonging to the province, and purchased from the Natives in the early days, but which the Commissioner of Crown Lands decided was not available because they were not surveyed. And as no lands were available, they were in exactly the same position as were the Militia and Volunteers of Taranaki, who received land scrip for services in the field, but whose claims were barred by the same clause in the Immigration and Public Works Act which was held to have barred these claimants. The Militia and Volunteers were forced to accept 10s. in the pound, and their claims ought to commend themselves more to the sympathy of the House than these claims. With respect to the ultimate charge of these claims, he must protest against their being made a provincial liability. In 1858, 4,000 acres of land would have satisfied these claims, and that was all the province was liable for. The Act of 1872 had practically added 7,000 acres; and if these claims were met by scrip payable out of land of the province, the value of the 7,000 acres must be refunded to the province, otherwise the Land Fund of the province would be unfairly appropriated, and the settlement of the country, which was going on in a most satisfactory manner, would be suddenly checked for want of means of opening up land for sale. He would not oppose the resolution as amended, as the question was for arrangement between the claimants and the Government, in the same way in which the Volunteer scrip-holders were dealt with.

Mr. CARRINGTON took leave to say that this was not scrip, but a land order under the signature of His Excellency the Governor.

Mr. REYNOLDS had not intended to take any part in this debate; but after the remarks of the honorable member for New Plymouth, it appeared that the House should give some expression of opinion on the subject. That honorable gentleman had said that if any money was to be paid at all in connection with this claim, it should be paid by the colony, and not out of the Land Fund of the Province of Taranaki. He was of opinion that the House should set its face against being made responsible for a single penny. If any money was to be paid, it should be paid out of the Land Fund of the Province of Taranaki. As one who knew something of this matter, he

was thoroughly satisfied in his own mind that this was not a just claim; and he thought that the amendment proposed ought to meet the case entirely, as he believed that the matter should be left wholly in the hands of the Government. The payment—whatever that might be—should be made out of the land revenue of Taranaki, because the Superintendent of that province, in his representative character, had been a party to the transaction.

Mr. LARNAOH said that, as a member of the Committee, who had for some considerable time been inquiring into this matter, he was of opinion that the claim was a just one. He could not see why, as the claim had been remitted to a Select Committee which had reported in favour of it, the Government should refuse now to support it. It appeared to him to be a farce to appoint those Committees, if their reports were to be paid no attention to.

Mr. STAFFORD said he would accept the additional words to his motion. He could not call them amending words, because they amended nothing. He could not see exactly why the Government wished to add the words, because it appeared to him that they had power to enter into negotiations in such a case without being authorized to do so by the House. The claim could be settled by Executive action, and therefore it appeared to him to be superfluous to add the words. However, he thought that the addition of them would strengthen his motion, inasmuch as they took the shape of an injunction to the Government to settle the matter. He believed that when the Premier spoke he had not spoken as a member of the Government, but as a gentleman who was connected with the Province of Taranaki, and who had for many years had a strong bias with reference to these claims, and he spoke also as a gentleman who had a large interest in the Province of Taranaki. He (Mr. Stafford) at first thought that when the honorable gentleman used the word "we," he spoke as a member of the Government, but he had since found that he had applied it to himself and the other members from Taranaki. Therefore his whole argument might pass without having much effect on the House. His motion had nothing to do with the Province of Taranaki; it was merely to the effect that the colony was in honor bound to settle the awards made by the Government Commissioner under "The Taranaki New Zealand Company's Land Claims Act, 1872," without any unnecessary delay.

Major ATKINSON said he had spoken very plainly. He had pointed out what he considered to be the duty of the Government, and had given a history of the claim now under consideration.

Mr. STAFFORD trusted that the honorable gentleman's colleagues would consider the question as one which affected the honor of New Zealand, and he had no doubt that the decision they would come to, after considering the case, would be a proper one. The honorable gentleman appeared to complain that the Select Committee had not accepted the suggestion, or rather the intimation made by him, that there was a

certain way in which these claims should be settled. It seemed to him (Mr. Stafford) that the report of the Committee did absolutely recognize the suggestion that had been made by the honorable gentleman. The honorable gentleman had shown that there was a valuable block of land which might be devoted to settling these claims. It seemed to him that the claimants had already made a proper application that their claim should be settled. They had asked that their awards should be paid; and the matter had been referred to a Select Committee, which had sent in its report, and it now devolved upon the Government to come to a decision regarding it. He was informed that the representative of one of these claimants had, since the report had been sent in, made a proposal to the Government which had not yet been acceded to by the Government. It was the duty of the Government, considering the action which the Select Committee had taken, to take the next step. He could not understand why the Volunteers should be "done out of" the amounts to which they were entitled. Those men were settlers who had gone literally with their lives in their hands to fight for their country, under the absolute condition that they were to have a certain amount of valuable land; and they were now informed that they would only get one-half of their claim. He thought that it was not fair that the Government should now refuse to give them the other half. It was not right that their claims should be cut down. He could not conceive why the honorable member for New Plymouth should have kept harping upon the fact that all these lands were confiscated. It was quite true that the lands had been confiscated, and also that large portions of them had been given back to the Natives. But even if the whole of them were lands which came under the provisions of the New Zealand Land Settlements Act, the report of the Committee recognized that all these lands should be made available for the purpose of settling these claims. They were claims on the colony of an equitable character. He ventured to say that it was not all right on the part of the Government to oppose these claims, which he trusted would be settled without any unnecessary delay. He had accepted the additional words of the amendment; but, as he had already said, he did not consider they were actually required, as far as any action on the part of the Government was concerned. He accepted that, because they appeared to be in the nature of an instruction to the Government to settle those claims as soon as possible. He could not agree with the honorable member for Port Chalmers that the whole charge should be against the Province of Taranaki, because he was quite aware that the whole colony had benefited very largely by the receipts derived from the sale of this land. There was no doubt it had done that, and having taken into the colonial chest part of the proceeds of this land, and having in other ways dealt with the land by handing it back to the Natives for colonial purposes, it was not fair to turn round and say, "You have had your property taken away it is true; but even out of the

remnants of it you shall not have your interests considered."

Motion as amended agreed to.

BROGDEN CLAIMS.

Mr. LARNACH, in moving the motion standing in his name, said that some years ago Messrs. Brogden and Sons entered into an arrangement with the late Agent-General to bring out a number of immigrants, for whom Messrs. Brogden and Sons were to pay £10 a-head. Immediately afterwards, the Government initiated a system of free immigration to the country, and the consequence was that Brogden and Sons were unable to recover from the immigrants the sum which they had to pay the Agent-General. The arrangement of the Government operated very detrimentally to Messrs. Brogden and Sons; and it was with the object of having the matter inquired into that he placed the motion before the House. He therefore hoped the motion would be agreed to.

Motion made, and question proposed, "That a Committee be appointed, to consist of the Hon. Major Atkinson, Mr. De Lautour, Mr. Rees, Mr. Shrimski, Mr. Lusk, Mr. Wason, Mr. Lumsden, Sir Robert Douglas, and the mover, to inquire into the terms of the petition of Messrs. Brogden and Sons, and the report of the Public Petitions Committee thereon, relative to payments made by them to the late Agent-General on account of certain adult immigrants brought to this colony. Five members of the Committee to form a quorum; with power to call for witnesses and papers, and to report within ten days."—(*Mr. Larnach.*)

Major ATKINSON was sorry to have to trouble the House with any remarks in reference to this matter; but it did seem unfortunate that the honorable gentleman should have brought forward such a motion as this. The honorable member seemed to be unaware that the question was gone into carefully and exhaustively by a Committee appointed by the House in 1873, who after a great deal of pains brought up the following report:—

"The Public Works and Immigration Committee, to which the petition of Messrs. John Brogden and Sons was referred, have the honor to report that the petitioners pray to be relieved from loss to which they allege they have been subjected under their immigration contract with the Government. The Committee, having taken all the evidence that was available to them on the subject of the claims put forward in the petition, are of opinion that the statements in the said petition are not substantiated, and, so far as they are able to judge, there is no good ground for such claim, either in law or in equity.

"The Committee are further of opinion that, in the absence of proof, it would be a bad precedent to entertain claims founded upon vague allegations, and the admission of which would do away with all finality in a system of public contracts under written agreements; and that, further, in the opinion of the Committee, it is not desirable the evidence should be printed."

The gentlemen composing the Committee were

Mr. Carrington, Mr. Curtis, the Hon. Mr. Fitzherbert, Mr. Gillies, Mr. Johnston, Mr. Macandrew, Mr. O'Neill, the Hon. Mr. O'Rourke, Mr. C. Parker, Mr. Reeves, Mr. Rolleston, Mr. White, Mr. Richardson, Mr. Cuthbertson, Mr. Ormond. It seemed a pity that petitions which had been dealt with so carefully and so exhaustively should be again brought before the House; and it was still more to be regretted that honorable members should not content themselves with referring these petitions to the ordinary Committee appointed to investigate them. He did not know where these questions would end if the petitions were to be brought up session after session. He might state, with regard to the promissory notes, that payment of them was refused for a long time, and at last it became necessary that the Government should stop the amount due from contract moneys payable to Messrs. Brogden and Sons. The whole sum had now been stopped by the Treasury. The inquiry would come to nothing, and he would suggest that the motion should be withdrawn.

Mr. CARRINGTON thought it perfectly useless to enter into this matter at that stage of the session. He could make some telling remarks, but he did not wish to take up the time of the House.

Mr. REID was sorry the honorable gentleman did not tell the House in which direction his telling remarks would have gone, because that would have influenced him greatly. What he wished to say was, that it was very undesirable to have these matters referred back again and again, after they had once been fully investigated and reported upon. The parties should then be left to their remedy at law if they were dissatisfied. This matter was now before the Public Petitions Committee; and to ask the House to appoint another Committee specially to consider the matter, was asking too much of the House. It would come to this: that it would be better to grant these claims at first, and have done with them, than to have them inquired into over and over again. He was under the impression that Messrs. Brogden had tested their right in the English law-courts, and had failed; but, at all events, a Committee of the House had already decided against them; and as the honorable gentleman seemed to have brought forward this motion in ignorance of these circumstances, he hoped he would now withdraw it.

Mr. MONTGOMERY thought that, when the House was asked to institute a fresh inquiry, it ought to be told whether or not the petitioner had any fresh evidence to bring forward. They had no such information in this case; and as the case had already been carefully inquired into, he saw no good reason for re-opening it.

Motion negatived.

CIVIL SERVANTS.

Mr. LARNACH, in moving the motion standing in his name, said it was pretty well known outside the House that gentlemen in the Civil Service practised their professions privately, and it became a question whether they should be allowed to perform duties outside those pertaining

to their office. He was inclined to think that officers of the Government should attend to their duties and have a regard for their employer's interests, as the employés of large mercantile firms did. The colony should have the full benefit of their services. He had no intention to argue the point at any length, but would leave it to the House to say whether it would perpetuate a loose system which permitted Civil servants to accept outside employment. He was aware that there were many gentlemen in the service of the Government who received a very small salary for the performance of certain duties, upon the understanding that they would be allowed to perform outside work. If the motion were passed, he would like to see such officers fully compensated for breach of agreement.

Motion made, and question proposed, "That, in the opinion of this House, it is improper for any salaried officer of the Government or of the Civil Service of the colony to receive fee, salary, or reward outside of the office he holds; and that from this time forward any officer found receiving salary or fees other than from the office held by him shall no longer be retained in the Civil Service or the service of the Government of the colony."—(*Mr. Larnach.*)

Mr. RICHARDSON said the honorable gentleman had rather anticipated the reply he intended to make. There were three gentlemen in the Public Works Department who had made agreements such as the honorable gentleman had just alluded to, and they were entitled to a year's notice in case of any alteration being made in their agreement. He presumed it would be necessary to provide for that, or for the payment of compensation in such cases. So far as the principle was concerned, he entirely agreed with the honorable member that it was very undesirable to have any such custom existing in the Service; but, in the cases in question, it was considered necessary to make the agreements as they were then made. It might meet the honorable member's views if the latter half of the resolution were omitted. Some amendment would have to be made in the resolution before it was passed, otherwise they would have to discuss the subject again.

Mr. LARNAOH said the proposed amendment would defeat the object of the motion.

Mr. RICHARDSON said the Government would have power to terminate any agreement at any specific time. There were two or three officers—two at all events—who would be entitled to twelve months' notice if their services were to be dispensed with, or any alteration made in the terms of their engagements. He would move, as an amendment, the omission of the following words: "and that from this time forward any officer found receiving salary or fees other than from the office held by him shall no longer be retained in the Civil Service or the service of the Government of the colony."

Mr. KELLY presumed that the honorable gentleman who brought forward this motion did not mean to exclude persons from holding more than one office in the public service, but that the object was that any person who received an ade-

quate salary from the colony should not be allowed to carry on the private practice of his profession also. If that were the honorable gentleman's meaning, he fully concurred in the view that no officer who received an adequate salary should be allowed to practise his profession outside the service. A return had been furnished, on the motion of the honorable member for Bruce, from which it appeared that there were only three or four officers in the pay of the Government who were allowed to follow their private practice. The Colonial Architect was one of those officers, and the Engineer-in-Chief, and some persons holding the office of Crown Lands Commissioners were also paid for services rendered as members of the Waste Lands Boards. The motion of the honorable gentleman would only affect three or four gentlemen with whom special terms were made when they accepted office under the Colonial Government, and which terms would have to be respected. It would be better for the colony, and for all the persons concerned, if no such agreements were entered into, as it might be very embarrassing sometimes to the officers themselves. For instance, when there was a press of public business and also of private business, he presumed that the private work in which the officers might be engaged would have to give way. The permanent officers employed by the Government should receive adequate salaries for the work they performed for the colony, and should not be allowed to engage in private work, as it must lead at times to very great embarrassment and dissatisfaction.

Mr. BURNS would suggest, if the amendment of the Minister for Public Works were agreed to, that words should be added to the resolution to the effect "that any such officers being so engaged should have notice of the termination of their engagements." He perfectly agreed with the honorable member for Dunedin that the Civil servants should not be allowed to carry on private practice in the profession to which they belonged. From what had fallen from the Minister for Public Works, he understood that there were no officers in the service who were engaged for a longer term than twelve months—that the engagements entered into by them were terminable on twelve months' notice. The words he had suggested to be added to the resolution might meet all the requirements of the case.

Mr. GIBBS wished to be informed whether the resolution, if carried, would prevent junior clerks from doing a little writing in the evening, and obtaining a few extra emoluments in that way.

Mr. RICHARDSON.—Yes, it would.

Mr. GIBBS could hardly vote for the resolution if it would have that effect.

Mr. MONTGOMERY would like to know if postmasters would come within the scope of this motion, as the salaries they received from the Government were very small indeed—so small that they were obliged to do other work to gain a livelihood. It was right that the Civil servants should receive sufficient pay, and that they should not be allowed to enter into compe-

tition with other professional men. He knew that in the Government department in Canterbury there were some officers who understood architecture, and who were employed by persons to draw plans. The Government prevented them from doing so, as it was unduly interfering with men who were getting their living by following their profession.

Mr. WHITAKER said it would be a dangerous thing to pass the resolution in such general terms. He would say at once that it had a much wider application than the honorable member for Dunedin attributed to it. It was all very well for his honorable friend the Minister for Public Works to confine himself to saying that there were only three or four persons who would be affected by it. There were some fifty persons employed in the various post offices who were paid small salaries, and who were able to undertake other work besides. There were connected with the Native Department several medical officers who received a salary of £50 or £60 from the Government, and the adoption of this motion would prevent them performing any duties connected with that department. If it were intended that this motion should apply to any particular individuals, it should specify them. To pass this motion in such very general terms would be a very mischievous thing to do. The striking out the latter part would not further the matter, for it was to the first part he entertained objection. In the Postal Department, and in the medical branch of the Native Department, there were probably fifty or one hundred persons to whom the resolution would directly apply. The motion as it stood had a very wide application; and if it was to be passed at all, it should be made applicable to certain specified officers; otherwise it would interfere with arrangements which he thought could not be altered without serious detriment to the public service.

Mr. REYNOLDS said it was not conducive to the health of any man to give him an undue quantity of work to do. He should receive a sufficient salary from the Government to enable him to devote his whole time to the service. If a man did twelve hours' work when his constitution would only allow him to do eight, he was sure sooner or later to become incapacitated for his Government work; and he would then have to get leave of absence in order to recruit his health. If any officers were entitled to a year's notice, notice might be given to them at once, for the system was decidedly a bad one of allowing officers to undertake private practice in their professions. It would be far better to give them a good salary, and compel them to devote their whole time to the Government service, than to give them a very low salary and allow them private practice. The honorable member for Collingwood seemed to be very much alarmed lest this should affect clerks on small salaries, and prevent them from doing some little writing. Those officers were in exactly the same position as the others. They were required to do a certain amount of work for the Government; and if they had extra work at night, they impaired their efficiency to perform their duties to the Govern-

ment in the daytime, and that caused an injury to the public service. He was rather astonished to hear the Postmaster-General say what he did about Post Office employes; and he would point out that it would be a very easy matter to amend the resolution so as to show that it was not to apply to those postmasters and other officers who were not intended to give the whole of their time to the duties of their department. Of course, the honorable member for Dunedin did not intend that motion to apply to those postmasters who only received £5 or £10 a year, and who had other business to attend to. The same remarks would apply to medical officers in connection with the Native Department. He trusted the honorable member would so amend his resolution that it would carry out the intention of the Legislature and the wishes of the people; for he knew there was a very general feeling that Government employes should confine themselves to Government duties, and should not compete with other professional men, or with others who were earning their living without any assistance at all from the Government.

Mr. ROWE had no doubt at all that the House sympathized with the mover of the motion. The terms of the resolution, however, were too general, and the time he thought was very inopportune, because the General Government were now about to take over the Provincial Government offices, and he knew that in connection with provincial institutions there were many officers who were not paid to give their whole time to the Government. For instance, in the Provincial Hospitals there were medical gentlemen employed in many instances at comparatively low salaries; and if the House passed such a resolution as this, those gentlemen would immediately vacate the positions they held. Having private practice enabled them to fulfil the duties in connection with these institutions, which otherwise they would be unable to do. He believed there were a number of officers in the Government service who ought not to be allowed to practise privately, and who received sufficient salaries; but the resolution would include those to whom that did not apply, and to whom the motion, if agreed to, would cause very great hardship and injustice. He had for years been a postmaster at a salary of 20s. a year; and if he had not been allowed to do anything outside that, it would have been a very poor thing to depend on.

Mr. REID thought the feeling of the House was with the honorable member, that it was not desirable that Civil servants who were in receipt of a sufficient salary should be allowed private practice. There had been considerable complaints about this matter in the part of the country from which he came, and it was thought that officers who were in receipt of a fair salary should not compete with others in private practice. He quite agreed that the motion was too general in its terms, and he would move, That after the word "colony" these words be inserted: "who is in receipt of a salary of £250 a year or upwards." That would obviate the difficulty in regard to those officers who were receiving small

salaries. Perhaps the amount he mentioned was too low; but he would merely move the amendment to give the House and the Government an opportunity of accepting the principle.

Mr. BOLLESTON concurred with the last speaker that the motion was too general and sweeping in its terms; and it was quite clear that it would not insure what the honorable member desired, or what could be properly carried out by the Government. As a rule, he thought it was exceedingly inexpedient for a resolution of the House to be passed affecting matters that were properly provided for by law. It was well known that the Civil Service was controlled by regulations issued by the Governor in Council, and it would be a very bad precedent for the House to pass regulations affecting the Civil Service. Any regulations required should be made by the Governor in Council in such a way as to meet existing circumstances. The fact that there were no less than some half-dozen amendments on the resolution showed that the House was scarcely a body to perform a function that would properly be performed by the Governor in Council under the law. It would be a mistake to do more than indicate the wish of the House in general terms, and leave it to be embodied in any regulations which the law provided should be made. He would suggest that the motion should be amended in this way. The following words should be added: "That, as a general rule, it is inexpedient for any salaried officer of the Government, or of the Civil Service of the colony, to receive fees, salary, or reward for services rendered outside of the office he holds;" and to strike out the last words of the motion, and add these words: "That the Governor be requested to frame regulations under the Civil Service Act under which officers might perform duties outside the office they held, but that such privilege in future should be sparingly granted." It was perfectly clear that there were a number of cases in which fees must be received by officers. There must be postmasters who were authorized to transact business outside the department. Then there were medical officers of hospitals and registrars throughout the country, who received and must receive fees for work done outside the Government office. He did not think the motion, as it stood on the Order Paper, would meet the wishes of the mover. As a matter of fact, there were officers in the Civil Service under engagement; and, after they had been brought out from Home under that engagement, it could not in fairness be arbitrarily terminated in order that another arrangement might be made. He would agree to a motion for regulating this matter in the future; but it would not be to the credit of the country to annul engagements that had been made in good faith. It was all very well to say you could terminate a man's engagement because under the agreement it was terminable; but that would not be a fair thing to do. There was a medical officer in Christchurch whose engagement under the agreement was terminable at the end of a year; but it would be most unfair to terminate that agreement in order to enter into another, against the wishes of that officer. The intention was

that these agreements should only be annulled in the event of a man proving unfit for his office, or in the event of it being intended to do away with the office.

The hour of half-past five having arrived, Mr. SPEAKER left the chair.

ABOLITION.

Major ATKINSON laid on the table copies of two letters from Sir George Grey to His Excellency the Governor, and His Excellency's reply thereto, and moved that they be printed.

Sir G. GREY moved, That the correspondence be read.

The CLERK read the correspondence as follows:—

"His Honor Sir G. GREY to Governor the Most Hon. the Marquis of NORMANBY.

"Wellington, 17th October, 1876.

"MY LORD,—On Friday, the 18th instant, I, for the first time, read the despatch which your Excellency addressed to the Secretary of State for the Colonies on the 21st June last—that is, nearly four months after it had been sent from this colony.

"I was surprised and sorry on finding the statements your Excellency had made to the Queen's Principal Secretary of State regarding myself, and beg to offer the following explanations in reference to them:—

"In the first place, it should be remembered that the circumstances upon which your Excellency's despatch rest are stated to have transpired in a private conversation I am alleged to have held on some evening about June, 1876—at the Club at Auckland I presume, for I think I never met the narrator of this alleged conversation at any private house on any evening, or at any other time.

"I never held any conversation or answered any questions at the Club at Auckland, except in that easy confidence of privacy commonly prevailing amongst gentlemen admitted into such institutions, and without giving that care and attention to precise form of expression, and without that accuracy of recollection, which I should certainly have bestowed on any conversation I believed was shortly to be conveyed to your Excellency's ears, and to be by you reported, twelve months afterwards, to Her Majesty's Principal Secretary of State, for the information of the Queen and the British Parliament.

"Especially should I have used greater caution in the respects to which I allude, had I known that, after such a report had been made, I was to be left in ignorance for more than four months of what had been done, of the words and expressions I was to be charged with having used, and of the interpretation your Excellency was pleased to put upon them. Men's honor and character, nay, their very lives, are held upon a frail tenure, if such things can be done.

"The state of affairs when the alleged conversation is said to have taken place was quite different from that which prevailed when I wrote to your Excellency on the 5th June, 1876. In June, 1876, the Colonial Government had only proposed to abolish the provinces in the North

Island. No form or method of abolition had been made known either to myself or to the public. I was altogether unaware what circumstances might have to be met. When I addressed your Excellency on the 5th of June, 1876, I had to speak of pressing difficulties which were known to be almost certain to present themselves for solution, in consequence of the Abolition Bill having been passed and made applicable to both Islands of New Zealand. It therefore never entered into my mind, on the 5th of June, 1876, to allude to a past state of affairs which was not under consideration, or to a conversation which I am alleged to have had twelve months previously to the date of my writing to you, but which I had totally forgotten; and I only addressed myself, I submit, clearly and succinctly to those circumstances which were in existence at the time I wrote, and to events for encountering which provision would probably have to be made.

"The charges made against me by your Excellency, and the enclosures to your despatch, are three in number—

"(1.) My conduct in relation to improperly dictating, in my office, as Superintendent, a particular resolution to the Provincial Council of the Province of Auckland.

"(2.) Some implied charge, but not openly or fairly stated, of attempting to get the command of the police force of the Province of Auckland, to use it against the General Government.

"(3.) Of being the author of reports that the Government of this country might attempt to use the Queen's vessels against the inhabitants of this colony, if any of the provinces, as a last resource, resisted the bringing into operation of the Abolition Act.

"The first of these charges is sufficiently disposed of by my denial of it, and by the statements made, in their places in Parliament, by members of the Auckland Provincial Council.

"The second charge is thus answered: The Superintendents of all the other provinces but Auckland have the police force under their control; and the law requires that this should be the case, as the Superintendents are by law required to pay the cost of the police force, and are made answerable for the peace, order, and good government of their several provinces. There was, therefore, in the first place, nothing unlawful or unusual in my seeking to be placed in the same position in this respect as other Superintendents. In the second place, when the General Government at last, at my request, agreed to hand over the police force of the Province of Auckland to the Superintendent, representations were made to me, on the part of the chief officer of that force, that this proceeding might injure the position of some of the officers, and lose the province the service of at least one very able and deserving officer, possibly that of some of the others, and of some of the men composing the force. It was then doubtful how long the provinces might continue, and any new arrangement made with regard to the police might only be very temporary. Out of tenderness, therefore, for individual interests, I would not interfere with them to gain an advantage which might be

so short-lived, and I relinquished all idea of taking over the police, and did not do so. Had I intended to use the police force to support any views of my own, I should certainly have taken it over. The fact of my not having done so was well known to your Excellency's Advisers when you wrote your despatch of 21st June last.

"The third charge is thus answered: I first heard of the supposed intention of the General Government to use, under certain circumstances, the Queen's vessels and marines against the people of New Zealand, from a supporter of the Government, some time before any of the circumstances alluded to in your Excellency's letters. I attached importance to that statement from knowing that on a previous occasion the Government here had made arrangements for doing this in the case of trivial disturbances, which they were capable of easily suppressing by police and special constables, as they in fact did.

"My complaint also was not that a rumour was in circulation to the effect that the Queen's vessels and forcible measures were to be employed by the supporters of the Abolition policy against Her Majesty's subjects here—a rumour which undoubtedly myself or any other person might be wrongfully accused of having originated—but that the supporters of the Government Abolition measures used threats that this would be done. Now, certainly I could not have been the means of inducing them to use such threats, nor could I in any way be responsible for their doing so. Nor again, until your despatch of 21st June last was made public, did myself or the public know your views on the subject. It is, in my belief, greatly to be regretted that they were not sooner made public.

"Threats of the kind I allude to have been made by supporters of the Abolition measures of the Government in my presence—sometimes as warnings, sometimes in a manner offensive to me. Members of the Assembly, the other day, in their places in Parliament, testified to the same circumstances. The public Press has done it. I do not think this can be denied. They produced, I believe, important political effects at the time. Now these warnings or threats are generally disapproved of; it is easy to laugh at them, and they cannot of course be carried out; but I still remain of opinion that they ought never to have been used.

"I shall not at present notice those points which I think unconstitutional or wrong in your Excellency's despatch of the 21st June last; but I trust that you will transmit to the Secretary of State a copy of this my defence to the charges you have made against me.—I have, &c.,

"G. GREY.

"His Excellency the Governor."

His Honor Sir G. GREY to Governor the Most Hon. the Marquis of NORMANBY.

"Wellington, 18th October, 1876.

"MY LORD,—Since I wrote your Excellency this morning, I have had placed in my hands a Dunedin newspaper, the *Otago Guardian*, date the 16th instant, the Editor of which makes the following positive personal statement:—

"The threat about the man-of-war was started by the Ministerialists. The writer of this has heard it personally from many of them, including Mr. Dargaville himself, and always as a hectoring threat, and long before the date mentioned by Mr. Dargaville as that on which he heard it originated, as he says, by Sir George Grey."

"I enclose the only copy of the newspaper I have. I beg your Excellency to do me the justice of transmitting it, with a copy of this letter, to the Secretary of State. I would suggest that Mr. Dargaville should be telegraphed to and informed of the statements now made.—I have, &c.,

"G. GREY.

"His Excellency the Governor."

Governor the Most Hon. the Marquis of NORMANBY to His Honor Sir G. GREY.

"Wellington, 19th October, 1876.

"SIR,—I have received your Honor's letter on the subject of my despatch of the 21st of June, to which you take exception.

"2. You state that the charges against you are three in number. 1st. Your conduct in improperly dictating, in your office, as Superintendent, a particular resolution to the Provincial Council of Auckland.

"3. If your Honor will read my despatch, you will find that I make no such charge against you. I simply state the fact, that a resolution in favour of a change in the provincial system did pass in the Provincial Council by a majority of five; and my reason for doing so was to show that the feeling against abolition was not so unanimous as your Honor seemed to suppose; and I further stated that that resolution was rescinded the next day by a majority of one, at your Honor's direct instigation and dictation; and this I gathered from the reports of the proceedings at the time, in which I find that Mr. Reader Wood (the Provincial Treasurer) is reported to have said, during the debate, that when he asked your views of ministerial responsibility you replied, 'Well, Wood, if the Council think I am in this way going to act as a constitutional Governor acts, who does nothing without the advice of his Ministers, I had better go back to Kawan.' Shortly after, in the same debate, Mr. Sheehan is reported to have said, 'He had the authority of Sir George Grey for saying that he regarded the action taken on the previous day as most disastrous, and fettered him to such a degree that it became a question whether it was worth while carrying on any further. Sir George Grey said he had left his retirement for the purpose of taking up this question. The people heard him. He proclaimed openly what views he held. Resolutions of confidence were passed in him. The provincial press teemed with articles of approval; and yet the Council, which he expected to assist and aid him in this matter, appeared determined to convert him into nothing more or less than a mouthpiece. He appealed to honorable members not to spoil the chance the province had of getting a fair consideration of its claims in the General Assembly.' If the report of the debate is correct—and I do not suppose your Honor will deny it, as it is extracted from a paper which has been laid before Parliament—I think

there is quite sufficient to justify the statement I made.

"4. As regards the second charge which your Honor states I made against you, 'of attempting to get the command of the police force to use it against the General Government,' I must again ask your Honor to read my despatch, and you will find that, from the first word of it to the end, I made no allusion whatever to the police, or to your Honor wishing to obtain the command of it. The subject is only incidentally mentioned by Mr. Dargaville in his letter, as the commencement of the conversation, in which he states that you said, 'Yes, what is more, I can easily believe it within the range of possibility that we may yet see a British man-of-war in that river (the Waitemata), with her guns pointed towards the city, to coerce us into submission to some intolerable measure of the Government at Wellington.' The subject must have been a matter of pretty general conversation at the time, as I have a distinct recollection of its being told to me in Wellington soon after the occurrence had taken place, and long before Mr. Dargaville's information was tendered.

"5. As regards the third charge, I have no reason whatsoever for supposing that Mr. Dargaville would deliberately invent such a statement as he has placed in writing; nor do I understand your Honor to deny that such a conversation did take place, although you state that you do not recollect it. Under these circumstances, with these statements before me, I think it was not an unfair inference for me to draw that you had yourself been the first to give currency to a report similar to the one of which you complain to the Secretary of State.

"6. You now state that threats of the kind you allude to have been made by the supporters of the Abolition measures in your presence, and I think it very possible that many very foolish remarks may have been made by injudicious advocates on both sides of the question. But I have yet to learn that such threats have in any way been countenanced by any one in authority; and your Honor must further be perfectly aware that the Colonial Government have no authority whatever over Her Majesty's forces, and that any requisition to the captain of a man-of-war must emanate from the Governor himself; and therefore, when you stated to the Secretary of State that you believed there were substantial grounds for fearing that opposition to the Ministry might involve the city of Auckland being cannonaded by Her Majesty's ships, you distinctly implied that, for the purpose of supporting the Government of the day, I should, in your opinion, be capable of personally ordering the bombardment of a defenceless city, an atrocity which even in actual war would disgrace any officer who committed it. This is a grave charge, and one which I think required much stronger evidence than a newspaper report or mere rumour to justify.

"7. Your Honor further complains that the despatch was not sooner laid before Parliament; but you must remember that the despatch was not one which was volunteered by me. It was simply the comments which I considered necessary

to make upon your letter to the Secretary of State; and I think your recollection of official correspondence of that character will remind you that it is not usual, under ordinary circumstances, to publish such correspondence before the answer is received. I had hoped to have received the answer by last mail, in which case I should at once have laid it before Parliament; but as it did not arrive, and your Honor asked for the despatch, I thought it better to lay it on the table of the House without waiting for the answer of the Secretary of State.

"8. In compliance with your Honor's request, I shall forward by outgoing mail your letter, together with my answer, and also your second letter, enclosing a copy of the *Otago Guardian* of the 16th instant.—I have, &c.,

"NORMANBY.

"His Honor the Superintendent of Auckland, Wellington."

Sir G. GREY asked whether the Government would lay on the table some intermediate correspondence on the subject.

Major ATKINSON said he would ask His Excellency whether he would consent to do so.

Motion agreed to.

A. F. AND M. HARDY.

Captain MORRIS asked the Government what course they intended to pursue in regard to the petition of A. F. and M. Hardy?

Major ATKINSON said the Government were in communication with the claimants, and would be willing to make an arrangement with them on such terms as these: that they should agree to give a receipt in full of all demands, on condition of receiving half the block of land which they claimed, and that they should have the right to remove all fences and other improvements which they might have on the land. He understood that there was a third sister entitled to claim jointly, and whatever arrangement might be come to must be taken to include any claim that she might have to the land.

A. STITT.

The House went into Committee.

Mr. CURTIS moved, That an address be presented to His Excellency the Governor, praying that he will cause to be placed upon the supplementary estimates the sum of £800, in order to carry out the recommendation of the Public Petitions Committee contained in their report upon the petition of Alexander Stitt.

Mr. RICHARDSON hoped the Committee would not agree to the Public Petition Committee's report in this case. He would give several reasons why it should not do so. In the first place, he considered that the claim came within the limits of the reference which under the terms of contract would determine cases of the kind. They might be inclined to be lenient in cases where contractors had sustained a loss of the kind, but to do so now would be to establish a most dangerous precedent, and one the effect of which could not be realized by members of the House. The facts of the case were these: A road on the West Coast was advertised to be tendered for in four sections. Mr. Stitt tendered, and was

the successful tenderer for all four. He took up two of them, and, on looking into the matter and finding that his calculations had led him astray, he declined to take up the other two, and forfeited his deposits. Upon this, fresh tenders were called for those two sections, and that of a Mr. Holgate was accepted; but the tender of Mr. Holgate was £800 in excess of Mr. Stitt's original tender. After a time Mr. Holgate applied to have the contracts transferred to Mr. Stitt, and no objection was offered, as it was thought better to have all the contracts in the hands of one man. It was true that the principal part of the slip took place on these two sections, but there was this important point to be considered: that the original tender of Mr. Stitt for one of these sections was £1,300, but it was transferred to him at £1,640; and the original tender for the other was £889, the price agreed to be paid upon the transfer being £1,280. There was no doubt that the slips on the road gave a good deal of trouble; but in every case the contractor was bound by the terms of his agreement to hand over the road in good order and condition upon the expiry of his contract. Mr. Stitt petitioned the House last year, when his petition was referred to the Public Works Committee, which was a very strong Committee, being composed of all the Superintendents and four or five other members. They reported that they had examined the petitioner, and, inasmuch as compliance with the prayer of the petition would be establishing an objectionable precedent, the Committee could not recommend any allowance being made to the contractor. As the House was aware, Mr. Stitt had petitioned again, and the Petitions Committee had recommended that he should receive £800. As far as he could judge—he was unable to be present at the meeting of the Committee—they based their recommendation on the report of the District Engineer, who inquired into the matter by direction of the Engineer-in-Chief, who was on the spot. The District Engineer sent in a long report, in which he stated that, during the progress of the works, he informed the contractor that clause 6 of the General Conditions barred him from making any claim; but as he understood from the Engineer-in-Chief that in extraordinary cases the Government did not strictly enforce that clause, he had forwarded the claim with favourable comment. He considered that the damage done by the slips had put the contractor to an expense of £800; and if the Government were prepared to relax the terms of the contract, he would recommend the payment of that amount. That was the point: "if the Government were prepared to relax the terms of the contract." He considered that the Government would not be justified in relaxing the conditions of this contract any more than they would be justified in doing so in all other cases. He would not be in a position to refuse the same liberality to every contractor who might meet with the same sort of disaster. It was exceedingly unfortunate that the House should be placed in the position it was now in, and he hoped that in future sessions contractors would be prevented from laying peti-

tions of this sort before the Public Petitions Committee until they had exhausted all the other means of seeking redress which were open to them. He trusted the Committee would not pass the resolution.

Mr. CURTIS said the Minister for Public Works had based his opposition to acceding to the recommendation of the Public Petitions Committee upon the danger which would arise from relaxing the terms of contracts; but he thought he could convince the honorable gentleman that it was not by any means unusual for the Government to relax the terms of a contract. He thought there were many instances where in exceptional cases additional time had been given. The honorable gentleman would not dispute that he had on many occasions given extra time. That was relaxing the terms of a contract in a most important particular; but of course it did not follow that every contractor was to have extra time given to him. It was only a relaxation made under special and exceptional circumstances; and it appeared to him that this was a case of the kind. Of course contractors must as a rule bear the consequences of accident; but, nevertheless, there were cases of extraordinary accident, such as the great slip that happened on Mr. Stitt's contract, which put him to an expense of £1,650. The Committee recommended that exactly half the sum necessary to repair the damage should be paid to Mr. Stitt. The petitioner laid his claim before the Engineer-in-Chief when that gentleman was at Westport, and he agreed that it was a matter which the Government should take into consideration, with a view to granting compensation. The Engineer-in-Chief stated now that he did not go so far as that, but that he said merely that it was a matter which might be represented to the Government for their consideration. However, he took this step: He instructed the District Engineer to examine the ground, to ascertain the amount of damage done, and the cost of repairing it, and also to state what he thought the petitioner was entitled to. The District Engineer fulfilled these instructions, and recommended that, under all the circumstances, the contractor should be paid a sum of £800. The Petitions Committee carefully inquired into the whole matter, and, considering the recommendation made by the Engineer, they thought that the petitioner had been somewhat hardly used. The Government's own officer admitted that the petitioner should receive £800. That officer was not at all likely to make such a recommendation as that in any ordinary case. The House might be quite sure that the circumstances were as the petitioner represented them—that his case was of an exceptional character, and out of the ordinary category of breaches of contract. It arose out of a casualty which, as the District Engineer had stated, the contractor could not possibly have foreseen. If the Committee were to be debarred by strict rules from inquiring into cases where a great injury had been inflicted, what was the use of having a Public Petitions Committee at all? and what was the use of the House receiving such petitions? It appeared to him that

it was exactly to meet cases of this kind that the Public Petitions Committee had been established. It should be recollected that the contractor would be without any legal remedy if the Committee did not entertain his case. It appeared to him to be the special function of that Committee to redress grievances of this kind. If they were to adhere to strict regulations and set aside the recommendations of the Committee altogether, it seemed to him that the Committee need not take the trouble of sitting at all. The Committee came to their decision after a careful consideration of the case. The petitioner was not examined; they took the statements contained in his petition, and they relied on the evidence of the officers of the Government and the official correspondence that had taken place. On that evidence alone, without any statement made by the petitioner, or any statement on his behalf further than was contained in the petition, the Committee came to the conclusion to recommend the payment of £800, being half the amount which the petitioner had expended in repairing the damage done by this slip. It did appear to him (Mr. Curtis) that under such circumstances the Government should give way a little in these matters. They were quite right to do their best to guard the public purse, especially against serious claims. The honorable gentleman seemed to think that other contractors would make claims of the same kind. That was not at all likely; but if that should be the case, they might depend on the Committee that they would not entertain such claims, and would only recommend a deviation from the customary rule in such cases as this, in which there were some special circumstances to justify the deviation. Without taking up the time of the House any longer, he hoped the House would indorse the recommendation of the Committee for the payment of the sum of £800 to the petitioner.

Mr. RICHARDSON had omitted to state that tenders were called for the work on the two sections. For one section, the amount of the tender accepted was £1,540; the next tender was £1,702, and the third was £1,749. For the other section, the tender accepted was £1,280, the second tender was £1,342, and the third £1,899. He thought that was another strong ground why they should not make such a large allowance, if any at all, to the applicant in this case.

Mr. BURNS must say he was surprised at the remarks made by the honorable member for Nelson City. That honorable gentleman, as Superintendent of the Province of Nelson, had no doubt claims sent to him from contractors of all kinds; and he would like to know whether the honorable gentleman had taken the same course with reference to them as he now asked the Committee to take in regard to this matter. While it would be very wrong to prevent any claimant coming before the Public Petitions Committee, and to do so would be unjust, yet the Petitions Committee had a duty to perform in matters of this kind. They all knew that it was one of the most difficult things to deal with contractors. He had himself some little experience of such matters, and knew very well what that difficulty was. It would have been well if the Petitions Committee had

asked the petitioner if he had gone through all the proper stages with his case before coming to the Committee—if he had exhausted the terms of his contract, and taken all the necessary and prescribed steps to get a proper remedy before going to the Petitions Committee. If some such action as that were taken by the Committee in every case, it would save the time of this House very greatly indeed. He thought, in cases of this kind, it was generally the safest course to adopt to follow the recommendation of the Government. If a wrong had been done in this case, the petitioner had his remedy outside of this House; and the House would do well to adopt the recommendation of the Minister for Public Works. He would vote against the resolution.

Mr. SWANSON thought, when the honorable member for Roslyn heard all the facts of the case, he would vote the other way. The honorable gentleman said that if the petitioner had exhausted the remedy he had before coming before the Petitions Committee, and had failed, he would be justified in coming to the House for redress; and observed that the petitioner had failed to do so. Now the petitioner had done everything that he could. He had no legal remedy according to the terms of his contract. He applied to the Engineer-in-Chief and to the Government, and did everything he could before petitioning this House. It seemed to him (Mr. Swanson) that the slope or batter on the side of the road was too small, being only three inches to the foot, and the occurrence of the slip was simply a mere matter of time. It was inevitable; and if it had taken place a few days later, the Government would have been put to the expense of the whole £1,600. The contractor was not bound to maintain the road. The first heavy shower of rain would have caused the slip, and the expense of repairing the damage would have had to be met by the Government. Considering the statements made by the officers of the Government, the Committee thought the justice of the case would be met by the payment of the sum of £800.

Mr. BUTTON said the first objection made against this claim was that the person tendering threw up his contract, and that it was subsequently assigned to the petitioner on better terms. With regard to that objection, the contractor forfeited his deposit, and was placed on the same footing as any other person. When the Government called for tenders, and asked for a deposit, it was admitted that they estimated the forfeiture of that deposit as a proper compensation for any breach in the fulfilment of the contract. By their own admission—because the Government thought the contract ought to be in the hands of one person—they allowed the contract to go to Stitt; but that was no reason for refusing the petitioner compensation now. Then they were told that it would be a bad precedent. Well, the honorable member for Nelson City had answered that part of the argument. He (Mr. Button) did not care if it was a bad precedent: if a person had suffered a gross wrong, and came before that House to have it rectified, they should not consider whether

other persons would do the same thing. If a person had suffered a material wrong, that ought to be redressed; although this House had never before established a precedent, they would be justified in making a precedent for the occasion. Then it was said that the petitioner should have exhausted his remedies before coming to this House. What was his remedy? His remedy was to appeal to the Engineer-in-Chief. There was a clause in the contract which took away all legal remedy. There could be nothing in the shape of law. He could not imagine how contractors could be found foolish enough to throw themselves into the arms of Government officers as they did. There were clauses in these contracts which took away all jurisdiction from the ordinary Courts. Those clauses provided over and over again that, if any dispute should arise, the Engineer-in-Chief should be the sole arbitrator. What was done in this case? The Engineer-in-Chief was appealed to, but he did not care to make any recommendation; he did not care to investigate the matter himself, but he promised to bring it under the notice of the Government. He did not render himself active in the prosecution of this matter in which he was the sole arbiter. He left the petitioner with the impression that he was favourable to his getting some compensation, but he did not adjudicate the case himself. He did what was equivalent to that: he delegated the matter to the District Engineer. He did not go into the matter, but he made a somewhat vague promise. He left the matter in the hands of the District Engineer, who was not the kind of man to make a recommendation for the payment of money unless he thought there was good ground for it. He (Mr. Button) thought it might be laid down as a broad proposition that no Government officer was at all inclined to advocate the payment of money over and above the contract when his own department was concerned in the matter. The House might be satisfied that the District Engineer would not, except under the most extraordinary circumstances, recommend or suggest the payment of any sum over and above the contract price, because it was to his interest to get the work done at the very lowest sum he could. It was a feather in his cap to have the lowest amount of money possible expended. It appeared that this particular part of the work was ready to be given up, but the party to take charge of it could not be induced, when the work was finished, to take it over at once. Some little time elapsed, and the nature of the road and the slope, or batter, was quite sufficient to do all this damage. He understood the case, having heard of it for some time, for complaints were made in connection with it some twelve months ago. It appeared to him that this was just one of those cases in which a man might fairly come before the House and ask for some consideration. Supposing any member of the House had contracted to have some work done, and saw that the contractor had met with unusual difficulties, but had completed the contract, would he, if it were in his power to supplement the contract price, refuse to do so? He did not think there was any one amongst them

who would refuse, and the House should not be any more hard-hearted in regard to this contractor than private individuals would be, more particularly when such a claim as this was recommended by the person who was interested in keeping the cost of the contract as low as he possibly could.

Mr. WASON understood the honorable member for Hokitika to state that this contractor had finished his work on a certain day, and had applied to the Engineer to pass it, but for some reason or another he could not come to pass it, and that in consequence of the officer not having turned up, the work was injured by a very large landslip. He would like to know from the honorable member for Nelson City, or from the Minister for Public Works, whether that was absolutely the case or not, because it was a most important point. The honorable member for Hokitika had put that point very clearly; but without for one moment doubting that honorable gentleman, he would like to receive a certain amount of information.

Mr. COURTIS said the honorable member for Hokitika was not strictly correct. It was perfectly true that the portion of the work where the slip occurred was completed, and the contractor applied to the Engineer to take it over, but that officer refused to take it over until the whole section was completed, which was quite in the terms of the contract. The petitioner thought it rather hard, as he had completed that portion of the work, it should not be taken over; but there was no delay in taking over the work beyond the delay the contract provided for. The section was not completed, although that part where the slip took place was completed.

Mr. BUTTON.—He had applied to have the work taken over, and the Engineer had not done so.

Mr. WOOLCOCK sympathized with the Hon. the Minister for Public Works, and indorsed all he said upon the subject, because it would be exceedingly inconvenient if the department were to accede to all the claims that were made by contractors; but there are exceptional cases; and while it may be the duty of the department to act with a certain amount of severity in enforcing the terms of contracts, yet there would occasionally arise circumstances of a highly exceptional character which, in all honesty and fairness to a contractor, deserved special consideration. This was a special case, and that it deserved special consideration, had been admitted by the Engineer on the ground, by honorable members, by the Public Petitions Committee, and many disinterested persons who had inquired into the matter. He hoped the Government would throw no obstacle in the way, and that the Committee would adopt the recommendation of the Public Petitions Committee.

Mr. BURNS could not understand any exceptional cases in contracting. To make exceptional cases would be an injustice to unsuccessful tenderers, and the only fair thing in the case of contracts was to grant extension of time. It would be unfair to the unsuccessful contractors to give this man more money, for that would make

the cost of the contract equal to the amount of the next lowest tender. From all he had yet heard, he did not think the petitioner had the shadow of a claim to a single shilling.

Mr. BRANDON said the Government ought to be very careful about these matters, because a great many people tendered for contracts at a very low rate without having the means to carry them out; but there were exceptional cases. In this instance he would ask, who was in fault? If the engineer was at fault in his specifications, although the contractor was legally liable, and he might say morally liable, inasmuch as he had undertaken the risk of all the calculations, they should ask, who had got the benefit—the contractors or the contractee? It was not denied in this case that the contractor had performed his work, and they might assume that he was an honest contractor, who had undertaken to do the work at a fair price, and had not committed an injustice to other contractors by underbidding them for the work; and whose fault was it that this expense was incurred?—was it the fault of the engineer, or the contractor's own fault? It appeared that, although the contractor might possibly have taken a little more care by inquiring into the nature of the soil, and judging whether the batter was sufficient or not, the engineer had stated that a certain batter would be sufficient; and there were faults on both sides. The Government having got the benefit of the £1,600, he thought it only fair that the contractor should get the benefit of half of it.

Mr. WHITAKER said the honorable gentleman was mistaken in saying the Government got the benefit of £1,600. They had got no benefit at all. They had got the road made according to contract and nothing more. He would ask the attention of the Committee to the amount of the contract. When tenders were first sent in, that of Mr. Stitt was the lowest by a considerable amount; but he did not take up the contract, and forfeited his deposit of £20. Other tenders which were then called for were from £700 to £800 more than the first tender sent in by Mr. Stitt. The contract was afterwards transferred to him, who could not tender the second time in his own name, but who no doubt tendered in the name of the successful tenderer. It was true that the Government consented to the transfer of the contract, because it was desirable that the four sections should be in the hands of one person. There was a very important consideration for honorable members to take into their minds. This was only one of a great number of contracts which were going on all over the country, and he failed to see that there was anything special in this case; any special claim. There was none. The only thing in which this case differed from many others was that there had been a larger landslip than usually took place, and the contractor had suffered rather more than contractors usually did. It was said that in this case the batter was too sharp, and therefore the engineer was in fault. That might or might not be the case, but it was the contractor's business to look into that and make the necessary calculations. He desired to ask this: If

they entertained this claim, they would have all the contractors in the country coming forward with claims for compensation for losses suffered; and where would it end? Every man who lost by a contract had just as much claim upon the Government as Mr. Stitt had. There is another point to which the attention of the House should be directed. This matter had been carefully considered by the Public Works and Immigration Committee last session, who reported as follows:—

“The Committee on Immigration and Public Works, to whom was referred the petition of Alexander Stitt, contractor, of Westport, have the honor to report that they have examined the petition, and, inasmuch as compliance with the prayer of the petition would be establishing an objectionable precedent, the Committee cannot recommend any allowance being made to the contractor.”

If the House was to consider matters which had once been decided, a petitioner would only have to come to the House time after time and take his chance upon every occasion, and he would probably get something at last. When a matter had been decided, it was a most unreasonable thing to entertain it again, unless under new circumstances, and if any new facts had come to light; but nothing of the kind was alleged in this case. He believed, if the House granted the claim, it would be inundated with petitions from contractors. The honorable member for Hokitika said that, if there was no precedent for giving a person compensation where a wrong was suffered, a precedent should be established. He would like to know where the wrong was done in this case? If it was shown that the Government, by any action of theirs, had committed a wrong, he could understand the contractor coming to the House with a petition; but this case was similar to that of hundreds of other contractors, and he saw no reason whatever for withdrawing it from the category of other contracts. He was sure the honorable gentleman would admit that the Government had done no wrong in this case, but that the accident occurred either through the fault or mistake of the contractor himself, or through misfortune. In all these contracts there was a provision that the contractors should appeal to the Engineer-in-Chief, who should inquire into the case and give a decision upon it; but in the present case, that provision had not been attended to. What was the use of making contracts at all if the remedies provided by the contracts were set aside, and the contractors came to this House for redress? Then the honorable gentleman said that work ought to have been taken over. But the work had not been completed; only part of the contract had been finished, and the contractor wanted to have that part taken over. The contract only provided that the work should be taken over when it was completed; therefore there was no default on the part of the Engineer in not taking it over piecemeal. In point of fact he would have done wrong if he had taken it over before this accident occurred. The honorable member for Grey Valley said this was a special case. There was no speciality in the case, except that the loss sustained had been greater than was usual

under contracts; and he ventured to say that as a matter of principle it differed not a bit from what had happened in twenty, thirty, or forty other cases. If, therefore, the House entertained this claim, it would have to do the same in a great many other cases. It appeared to him that men of this description had no claim on the Government. With regard to the matter, the contractor was the judge, and no doubt he had put on the £700 or £800 as an extra in his contract, to meet any contingency of the kind that arose. The contract may have been taken at a lower price in the first instance, not expecting that such a difficulty would arise, and then may have been taken afterwards by this contractor at a higher price in another man's name, because he foresaw what was likely to occur. He saw no reason why a person who had failed to make good his case before a Select Committee one session should come up session after session until, by wearing out the patience of the House, he obtained what he wanted. The Committee of last session came to the conclusion that it would be a bad precedent to give the compensation asked for in this case, and the decision of that Committee ought to be adhered to.

Mr. BUTTON said, with regard to the remark of the honorable member that this case had been before the Committee last session, and should therefore not be dealt with again, that it was well known to all honorable members how petitions were dealt with by Select Committees unless supported by evidence, or unless some one specially urged the claim before the Committee. The very report of the Committee which the honorable member for Waikato read just showed that this case was dealt with on the petition itself, and without any evidence being taken. Honorable members would therefore see that this petition was only in the nature of a declaration in an action; and there being no sufficient grounds alleged, the report of the Committee was the same as the judgment of a Court on demurrer, when the plaintiff could commence again. In this case another petition had been sent in, and the Public Petitions Committee of the present session had done something more than the Immigration and Public Works Committee of last session. It had taken the evidence of Government officers, and made recommendations accordingly. He understood that the petitioner had applied to the Engineer-in-Chief, and was led to believe that a recommendation in his favour would be made. If the Engineer-in-Chief did not himself make the recommendation, he did so by deputy. Under these contracts, there was hardly any set of circumstances that could arise which would give a contractor a claim in a Court of law except the Engineer-in-Chief had been in collusion with the Government. The Committee was told that in this case the District Engineer would have exceeded his duty if he had taken over the work before the contract was completed. But these works were let in different sections, and he did not know that there was any obligation on the Engineer to wait until all were completed before taking over the work. If a man contracted to build a house in twelve months, and finished it in

six, the person for whom he built it was bound to take it over if offered to him. It was the same in the present case. This contractor had done all that was required: he had applied to the Engineer-in-Chief, and had been referred to the District Engineer, who sent up the recommendation, and the House would certainly be doing no harm by acting on that recommendation.

Mr. MURRAY-AYNSLEY said that the last speaker argued that if a man contracted to build you a house in twelve months, and finished it in six, you were bound to take it over; but you would not be bound to take it over when he had finished it. That was just the position of the present case. A part of the work was completed, and the contractor wanted to have that part taken over, perhaps being afraid of the damage that afterwards occurred. The Committee must consider the position of the country if this recommendation were carried out, and if no attention was paid to their refusal to recognise extra claims for works that were not part of a contract. If the Government recognized such claims as this, the House would consider that they had not looked after the interests of the country as they ought to have done, and there would be all sorts of claims brought up, which the Government would then be obliged to recognize.

Mr. BRANDON did not think that would be the case. This was not a question whether a contractor had finished his work, but whether he had finished it according to the specifications. If any accident occurred afterwards, and the contractor had completed his work according to the specifications, the fault would then be upon the Engineer. Supposing he had completed his work according to the specifications, and it appeared afterwards, and before taking over the work, that this batter was insufficient to stand the inclemency of the weather, or a very heavy rainfall at a particular time, surely the Government, having obtained the benefit of the work, should now be very glad to compromise the loss by paying half the cost. That appeared to be the view of the Select Committee. They did not throw any blame upon the Government for withholding this claim, or upon the contractor for the damage; but what they said was this: that if the contractor did his work according to specification, and the specification was insufficient for safety, then the contractor, having incurred a large loss, was entitled to some compensation. The question was, who had got the benefit of the work? and if the work was handed over, who would have to pay for clearing away any slip that might occur? The contractor did not contract to maintain the road for a single day after it was taken over by the Government. Clearly, then, the Government would be liable; and it was only right they should pay half if not the whole cost of this accident.

Mr. JOYCE would like to ask the Minister for Public Works one question, the answer to which might influence the vote which he would give. A large landslip occurred during the construction of the Maitara Railway, in which as many thousand pounds' worth of loss was sustained as there were hundreds of pounds involved

in the present case. Was the contractor compelled to bear the loss entailed by that slip, or was any allowance made to him?

Mr. RICHARDSON replied that the Government were at the loss in that case; but the conditions of the contract were entirely different from those of ordinary contracts.

Mr. BUTTON asked, who had to bear the cost of the various slips which had occurred on the Brunner Railway?

Mr. RICHARDSON said the cost was divided; but the terms of that contract were totally different from the terms of the present contract. In no one case, as far as he was aware, of road contracts throughout the colony, taken on such terms as the present, had any allowance for slips of this sort been made.

Mr. RICHMOND asked, who had to bear the loss of the slips on the Oamaru line?

Mr. RICHARDSON replied that the conditions of the contract for that line were similar to those of the contract referred to by the honorable member for Wallace. The Government were at the expense; but it was a totally different case from the present.

Mr. WAKEFIELD would like to know from the Minister for Public Works whether the Government or the contractor would have been responsible if the Grey Gorge Bridge had broken down a few days before the contractors had given it up?

Mr. RICHARDSON said that would have depended on circumstances. If the bridge had not been actually handed over to the Government the contractors would have been liable.

Mr. MONTGOMERY thought that the Minister for Public Works had given very clear answers to the questions that had been put to him. While he thought that they should respect the report of the Select Committee, yet he believed that they should strengthen the hands of the Government when it was acting on technical information received from its officers. He believed that the Government was acting on information which it had obtained from the Engineer-in-Chief in opposing this motion. He considered that, while they should pay all due respect to the report of the Committee, the House should remember that they were the judges in the matter; and, on the facts which had been brought before them, he believed that the money should not be paid.

Mr. CURTIS feared that the honorable member for Akaroa was under a wrong impression in regard to this matter. The honorable gentleman seemed to think that the Government should be guided by the report of their Engineer in this case; but he apparently did not know that that officer had recommended that Mr. Stitt should receive the sum of £800. Therefore, if the Government were to be guided by the report of their Engineer, they should pay the £800.

Mr. RICHARDSON said that was not a fair thing to say. The District Engineer of Westport had merely acted on the instructions of the Engineer-in-Chief, and had recommended that under certain circumstances the sum of £800 should be paid. The Engineer-in-Chief, who was

really the person who had to deal with this matter, had reported that this was only an ordinary case of a landslip, and that no compensation should be given to Mr. Stitt.

Mr. BURNS said that this was simply a matter of contract, and the cases which had been mentioned in the House that night had really no likeness whatever to it. He held that if the House voted this money to Mr. Stitt, it would be doing an injustice to the persons who were the unsuccessful tenderers for the work.

Mr. WHITAKER said that Mr. Blackett, the Assistant Engineer-in-Chief, was the person who had special charge of these works, and this was what he said regarding this particular matter:—

"I do not feel justified in recommending that any part of this claim be paid. In all road-making of such character as this, the contractor must look forward to slips from the hill as a certainty, and must make allowance accordingly in his tender. Also clause 6 of the Conditions is perfectly plain and clear on this head."

The District Engineer, Mr. Dobson, said in his report on this case,—

"The portion of the road constructed was divided into four contracts. Nos. 1 and 3 Mr. Stitt obtained by tender, and 2 and 4 by deed of transfer from the accepted tenderer, James Holgate.

"The contractor makes a claim of £2,421 12s. for cost of clearing slips and maintaining the road. During the progress of the work, I informed the contractor that I considered clause 6, General Conditions, Form E. No. 2, debarred him from any claim; but, as I understand from you that in extraordinary cases the Government do not strictly enforce the clause, I forward his letter with favourable comment.

"I have carefully examined the whole question, and consider it would be reasonable to allow the contractor £800, as being the fair price of work executed which could not possibly have been foreseen, and which was entirely caused by slips from the hills destroying the road."

That was the report which Mr. Dobson made when he was instructed to estimate the cost of the work which Mr. Stitt had done. He made his report, and it was submitted to Mr. Blackett, and what he had read was Mr. Blackett's commentary on that report. He could not see how this could be distinguished from all the other claims that might arise in consequence of other misfortunes. It was not right that the House should be made a Court of Appeal for all these claims. There were a number of these contracts out all over the country, and he did not see why a contractor who said he did not foresee certain accidents should have a claim on the country for compensation when these accidents occurred; yet, if the House passed this motion, he did not see how they could refuse to consider the claims of other contractors who were placed in a similar position. This was an ordinary contract, and when it was taken up it was known that certain slips would probably occur, and he thought the contractor ought to have guarded himself against them.

Resolution negatived.

NOXIOUS ANIMALS PROHIBITION BILL.

The House went into Committee on this Bill.

Clause 3.—Prohibition of introduction of certain noxious animals.

Mr. ANDREW moved, That the word "weasel" be struck out.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	38
Noes	...	...	...	...	9
Majority for	...	...	...	...	29

AYES.

Major Atkinson,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. J. O. Brown,	Mr. Rolleston,
Mr. Burns,	Mr. Seaton,
Mr. Carrington,	Mr. Sheehan,
Mr. De Lautour,	Mr. Shrimski,
Mr. Dignan,	Mr. Swanson,
Mr. Fisher,	Mr. Taiaroa,
Sir G. Grey,	Mr. Takamoana,
Mr. Hielop,	Mr. Tawiti,
Mr. Johnston,	Mr. Teschemaker,
Mr. Joyce,	Mr. Thomson,
Mr. Kelly,	Mr. Tole,
Mr. Kennedy,	Mr. Tribe,
Mr. Lumsden,	Mr. Whitaker,
Mr. G. McLean,	Mr. Woolcock.
Mr. Montgomery,	
Mr. Murray-Aynaley,	<i>Tellers.</i>
Mr. Ormond,	Mr. Fitzroy,
Mr. Rees,	Mr. Murray.

NOES.

Mr. Hodgkinson,	Mr. Wakefield,
Mr. Hursthouse,	Mr. Williams.
Mr. Larnach,	<i>Tellers.</i>
Mr. Pearce,	Mr. Andrew,
Mr. Richmond,	Mr. Wason.

The amendment was consequently negatived.

Mr. LARNAOH moved, That the words "one hundred" be struck out, with the view of inserting the word "twenty" in lieu thereof.

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	9
Majority for	...	...	...	...	25

AYES.

Major Atkinson,	Mr. Rees,
Mr. Bowen,	Mr. Reid,
Mr. J. O. Brown,	Mr. Richardson,
Mr. Burns,	Mr. Seaton,
Mr. De Lautour,	Mr. Sheehan,
Mr. Dignan,	Mr. Swanson,
Mr. Fisher,	Mr. Taiaroa,
Mr. Fitzroy,	Mr. Takamoana,
Sir G. Grey,	Mr. Tawiti,
Mr. Hielop,	Mr. Teschemaker,
Mr. Johnston,	Mr. Thomson,

Mr. Joyce,
Mr. Kelly,
Mr. Kennedy,
Mr. Lumsden,
Mr. Macfarlane,
Mr. Murray-Aynsley,
Mr. Ormond,

Mr. Tole,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Montgomery,
Mr. Murray.

NOES.

Mr. Andrew,
Mr. Carrington,
Mr. Hodgkinson,
Mr. Hurthouse,
Mr. G. McLean,

Mr. Pearce,
Mr. Wakefield.

Tellers.

Mr. Larnach,
Mr. Wason.

The amendment was consequently negatived.

Bill reported to the House with amendments, which were agreed to, and Bill read a third time.

DEBTORS AND CREDITORS BILL.

The House proceeded to consider the amendments made by the Legislative Council in this Bill.

Mr. BOWEN moved, That all the amendments be agreed to, excepting those referring to the appointment of official assignees; and that Mr. Hunter, Mr. Button, and the mover be appointed managers to draw up reasons for disagreeing.

Mr. ANDREW pointed out that these amendments came before the House at a very late period of the evening, when the House was exceedingly thin, and many gentlemen who took a deep interest in the Bill were absent. He thought their advice would be very useful in the matter; and, in order to give them an opportunity of being present, he would move, That the amendments be considered on the next sitting day. He did not wish to cause delay; but it seemed to him that the difference between that evening and half-past two o'clock the next day was very slight.

Mr. ROLLESTON thought honorable members knew pretty well what had been done in the other House in regard to this Bill; and they knew the amendments might be considered at any time. It would be a pity to cause any delay.

Mr. REYNOLDS thought it advisable that some time should be given for the consideration of the amendments. He had known a case in which the Government took one stand in this branch of the Legislature and another stand in the other branch of the Legislature in respect to a Bill. Certain amendments had been made in this House, and the other branch of the Legislature had exactly reversed what this House had done. That occurred in a very important Bill. The amendments were agreed to in somewhat the same manner in which it was proposed to agree to these, and it was not until months afterwards that he found out the effect of them.

Mr. SHEEHAN hoped the honorable member would withdraw the proposal for postponing the consideration of the amendments. He had no sympathy with those honorable members who chose to leave the House while there was business to be done. Any departure from the business as settled on the Order Paper would be a breach of good faith; but at this stage of the session

members could not tell when business would come from the other Chamber. With regard to the amendments made by the other House, he thought that they deserved consideration, and that the Minister of Justice would do well to accept them. He watched the progress of the Bill through the other House very closely, more closely than he did through this House; and from what he could see, the Bill had been very much improved since it left them. The House would do wisely to accept the amendments in a lump, just as they came from the other Chamber. There was one matter he would refer to. The Act passed last year, which was now practically being repealed, did not work very well during the recess; and a number of unfortunate people, who took what was fallaciously called the "benefit of the Act," were unable to get their discharge, through defects in the machinery of that Act. That fact was well known to most members of the House, and he did not think there was anything in the Bill before them to remedy it.

Mr. BOWEN said, with regard to what had fallen from the honorable member for Rodney, that this Bill was introduced to amend the machinery of the Act of last year, which was found to have been defectively drafted in several particulars—the one referred to by the honorable gentleman amongst others. There was a clause in the Bill which provided that, if so ordered by the Court, the estates of persons brought under last year's Act might be dealt with under the provisions of the new Act. But though the machinery was amended, the principle of last year's Bill was adhered to, that creditors were to manage bankrupt estates. He intended to accept all the amendments made by the Upper House except that which related to the appointment of an official assignee. That amendment changed the whole intention of the Bill, which would never have been drafted in the way in which it was if it had been intended that such an appointment should be made. He might add that the clause to which the honorable member for Wellington Country District had alluded might in many instances be conducive to fraud, so that he had no objection to its being struck out.

Mr. MURRAY-AYNSLEY hoped the honorable gentleman in charge of the Bill would bear in mind that, if the Bill were carried with the amendment in it made by the Legislative Council providing for the appointment of an official assignee, it would be necessary to place a sum on the supplementary estimates for the salary of an official assignee at Christchurch. Unless the person who held that appointment devoted the whole of his attention to the duties of the office, it would never give satisfaction.

Mr. BOWEN agreed with the honorable member for Lyttelton, that if there were to be official assignees at all, they should be salaried officers.

Mr. REES thought it would be found absolutely necessary in the working of the Debtors and Creditors Act, that there should be an official assignee. The duties of any person who took charge of property in this way at the discretion of the State, necessitated that his ap-

pointment should be made by statute. He did not see that any solid argument could be urged against the appointment. He had not argued upon the question before, because he had been quite disgusted with the whole working of the Debtors and Creditors Act; but, seeing that the Legislative Council had made this amendment, he thought it would be wise to agree to it. However much creditors desired to take the management of estates into their own hands, it would be found that it would be far more likely to contribute to the benefit of both debtors and creditors if there were an official assignee. There were always two or three creditors who were anxious to get the management of estates into their own hands; and unless there was an official assignee to look after the interests of the whole body of creditors, those interests were very likely to suffer.

Mr. G. McLEAN would rather see the Bill dropped altogether than that the amendment made by the Legislative Council, appointing an official assignee, should be agreed to. Last session, it was determined that a vital change in the bankruptcy law should take place. The present Bill was purely an amendment of that law, and it should have a fair trial; and then, if it was found that it would not answer, they could revert back to the old system of official assignees. Let the new principle have a trial before that was done. Creditors should be allowed to manage their own business. Let a system of free trade be introduced, and let the creditors select men in whom they had confidence to manage the estates. That was only a reasonable request, and he hoped the House would not agree to this amendment.

Mr. MANDERS had been connected with the management of every bankrupt estate in the district in which he had lived for some years past, and he could say from experience that the hanging up of estates in the hands of official assignees had caused a very grievous loss to the great body of creditors in the up-country districts. He could quite understand the arguments of the honorable member for Auckland City East in favour of appointing official assignees in the chief centres of population; but that appointment was of no advantage in those country districts where persons anxious to meet their obligations to their creditors wished to have a fair and speedy settlement. The appointment of an official assignee meant that he should be appointed by the Government, and that he should be stationed in some centre of population. It was of great importance to persons in the country districts that they should be able to call their creditors together and place their estates without difficulty in the hands of those creditors. Under the present Bill as it passed the Lower House, a bankrupt could do that by a stroke of his pen; but if he had to refer to the official assignee, who would live many miles away, the estate would have to be hung up for a long time. Every solicitor practising in the centres of population knew how difficult it was to manage insolvent estates up country. Of course, he anticipated objections from persons residing in the chief towns. He did not object to their having official

assignees, but there were behind them those who had an interest in obtaining the best advantage out of the estates, and who would prefer to choose those whom they thought best fitted to manage the estates. He would support the views so fairly and impartially presented to the House by the Minister of Justice, who had fully considered this question. Those views were worthy of consideration and deference from the House; but he did not think the views of legal gentlemen who resided in provincial centres were worthy of much consideration.

The amendments made by the Legislative Council were agreed to with the exception of those providing for the appointment of an official assignee, which were disagreed to; and a motion for the appointment of managers of a Conference was agreed to.

The House adjourned at a quarter to one o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 20th October, 1876.

First Readings—Third Reading—Oamaru Harbour Board Bill—Moeraki Harbour Board Bill—Otago Harbour Board Bill—Kakanui Harbour Board Bill—Hokitika Harbour Board Bill—Dunedin Drill-shed Reserve Bill—Wellington Harbour Board Bill—Patea Harbour Board Bill—Lake Forsyth Native Reserves Bill—Wanganui Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Wellington Loans Bill, the Noxious Animals Prohibition Bill, the Waitahuna Athenæum Bill.

THIRD READING.

The Bluff Harbour Board Bill.

OAMARU HARBOUR BOARD BILL.

* The Hon. Mr. CAMPBELL, in moving the second reading of the Bill, said he did not intend to occupy the time of the Council at great length, because he thought honorable gentlemen had pretty well made up their minds as to which of the Harbour Bills they intended to support. He would only say that it was a matter for regret to himself and to others who took charge of this Bill, that it should have been mixed up with such a large number of other Bills, which had for their object the erection of new works in different parts of the colony. This Bill asked the Council to sanction the setting apart, as an endowment, of a certain portion of land in the district of Oamaru, in order to complete the harbour works, which had up to the present been so successfully carried on there. At the time these works were commenced, he, in common with many others, did not believe they would be such a success as they proved to be. There was no doubt whatever that all those who had visited the district admitted that this was a work, not of local, but of national importance. It was the only port between

Akaroa and Port Chalmers, a distance of 120 miles, in which vessels could take refuge, and it had been proved, since the work had been under construction, that they were of a useful character. He thought he could not do better than quote from a report made by the Chairman of the Oamaru Harbour Board to the Superintendent of Otago, in order to show that it was really a matter deserving the consideration of the Council. The report stated,—

"The grand result, however, is the growing sense of security which the success of the Board's operations has produced throughout the community. Settlement in all its forms is progressing with rapidity. Land, hitherto cheap enough to admit of sheep-farming on a large scale, is becoming too valuable to hold for that purpose. Already large landowners have subdivided and sold their runs to agriculturists, at four times the market value before the success of the breakwater was assured, and town property has increased to ten times the value it stood at six years ago.

"Since the Macandrew Wharf was opened, in May of last year, 188 vessels have been berthed alongside the same, having an aggregate tonnage of 15,683 tons register.

"It is interesting to note that in the year 1869-70, when the works were started, the registered tonnage of vessels visiting the port was 30,872 tons, the number of vessels being 408; and during the past year, 1875-76, the vessels numbered 762, with a capacity of 81,015 tons register.

"In 1869, wool was exported amounting to 6,691 bales—the quantity exported in the year ending March, 1876, being 11,506 bales.

"In 1869-70, the population of the town was estimated at 1,500, the district at 4,000; the estimated population of the town this year being nearly 5,000, and of the district over 10,000, the number of dwellings being now increased to 800, exclusive of business places, stores, or public buildings.

"It may be stated that a very large addition to the trade of the port has been developed by the bridging of the Waitaki, seeing that from October, 1875, to March, 1876, 34,000 bushels of grain have been brought by the railway from the Waimate district, besides 971 bales of wool, 770 tons of merchandise, together with 275,000 feet of timber, have been sent thither from Oamaru during the same period. This is but the beginning of trade with a district as large in extent as the district of North Otago, of which the port of Oamaru is the most convenient outlet.

"Presuming that the country from the Waimate southward finds its natural outlet at Oamaru, which reason and analogy would lead one to presuppose would be the case, Oamaru will be the commercial centre for a tract of country comprising nearly four millions of acres, more than one-third of the area being pre-eminently adapted for agricultural purposes.

"Possessing a soil and climate unrivalled for the production of cereals, backed by an extensive block of stock-raising country, possessed of immense deposits of the now famous Oamaru stone, and slate quarries (producing a quality of this

material equal to the best productions of Wales), famed throughout the colony for the excellence of its manufactured breadstuffs, as well as the superior quality of the raw materials, it is not too much to say that the expenditure on harbour works is fully warranted by the necessities of the case.

"Abundant supplies of lignite can be obtained in the district, which has proved an important item in limiting the import of coal; and although not dependent on gold discovery for its progress in any way, the district possesses gold fields which only require capital and enterprise to make it an important industry.

"Four lines of railway centre in Oamaru—the Moeraki-Oamaru line and the Waiareka branch line, both nearly ready for traffic, and the Waitaki and Awamoko lines, already in operation. To this may be added the Waimate branch line, which is in progress. These will no doubt influence trade in a marked manner, to the advantage of Oamaru as a centre.

"The stability of the work, so far as it has gone, is unimpeachable, and the protection afforded complete; but the accommodation is necessarily limited, and the extension of the works in the same solid fashion still demands the care and attention of the Board, while at the same time keeping in view the immense importance to the district of reducing the charges to the smallest possible rate. To this end the Board intends to ask Parliament to set aside an endowment of pastoral land commensurate with the importance of the object, as well as to obtain an extension of its borrowing powers, to the furtherance of which the Board is assured of your most hearty co-operation."

With regard to the financial aspect of the question, he might say that the Board had received from the Colonial and Provincial Governments, and from the North Otago Loan, a total sum of £79,000. They had expended £80,000 already, and the works were still progressing. It was estimated that to complete the whole of the works £100,000 more would be required. The Board had issued debentures to the extent of £100,000, on which the colony had advanced £35,000, so that there was therefore a balance of £65,000 of debentures on hand. If an endowment was granted to enable them to borrow that balance, it would be ample to complete the works. The whole pith of the Bill was in the schedule; and he would ask honorable members not to vote for the second reading unless they were prepared to support the schedule, for if that were out he would drop the Bill. He would urge on the Council that this was not an experiment. The Bill simply proposed to put the coping-stone upon a great work, and he was sure that all those who had seen that district must recognize that a good port was of vital importance to the whole district. It was now a district with a population of over 15,000 people, and in the neighbourhood there had been an extensive discovery of slate quarries. He was sure that in every way the Bill should commend itself to the Council.

The Hon. Captain FRASER intended to deal with this Bill in exactly the same way as he did

with the other Harbour Board Bills. He could not acknowledge that the requirements of the Oamaru Harbour were greater than those of the Bluff, or its claims juster. It was no use wearying the Council with words. This Bill would have to go before the Waste Lands Committee, and when it came back he intended to vote against it, as against all other Bills containing endowments and borrowing powers.

* The Hon. Colonel KENNY would not oppose the second reading of the Bill. He supposed it would go before the Waste Lands Committee, and, as he had done previously, he would oppose all borrowing powers and endowments. It was said that some great men held the fate of nations in their hands, and in a small way some honorable members of the Council, by the favour they showed, might be said to hold the fate of Harbour Bills in their hands. He intended to deal with all the Harbour Bills alike. He did not intend to make any invidious distinctions, and would deal with each in the same way, leaving them all to come before Parliament upon their own merits next session.

* The Hon. Mr. HOLMES felt satisfied that were honorable members thoroughly acquainted with all the circumstances of this case they would admit that it was a peculiar and exceptional one. The mere fact of other Bills of the same tendency being before the House should not be allowed to interfere with the consideration of this Bill. Why was there such a flood of Bills before the Council? Was it not because this Bill, which was really required, was placed on the Order Paper in another place independent altogether of any other Bill, and before any other scheme of the kind was mentioned. This Bill was brought forward in *bona fides*, and was not an afterthought. This Bill was brought in independently, and before any other Harbour Board Bill was thought of.

The Hon. Mr. J. JOHNSTON wished to correct the honorable gentleman. It was not brought in before the Wanganui Harbour Board Bill.

* The Hon. Mr. HOLMES begged the honorable gentleman's pardon; but he had been told that that was the case by the gentleman who had charge of the Bill in another place. He (Mr. Holmes) had had some considerable knowledge of these harbour works since their commencement. He was one of the first members of the Harbour Board. The first scheme they thought of was a dock; but after mature deliberation it was resolved to change the dock into a breakwater, with a wharf inside of it. The material used was concrete, in blocks of from twenty tons to twenty-five tons each; and instead of making—as was the case in almost every other instance—the wall on a gradual incline, it was built upright; and it was found that the same amount of material was infinitely better and more substantial to resist the severity of the waves in an open roadstead. The rebound of the waves going out lessened the force of the waves flowing in, and so made the work more substantial. Although the work was not half completed according to the original plans, yet it had been found to be of the most essential service. Three of the

ordinary vessels trading to the port could lie alongside and obtain shelter in all sorts of weather, and he had known some instances in which vessels would have been wrecked had it not been for the shelter afforded by the breakwater. The works were of importance to the colony as well as to the locality, because it was now in the position, more or less, of a harbour of refuge; and seeing that there was a considerable distance between it and Akaroa, the only other available place, it was of importance that it should be completed. When the length of the breakwater was double what it was at present, it would be thoroughly available as a harbour of refuge; and he thought that, looking at it from the humanitarian point of view, it should be the object of the Council to establish a place where vessels could run for safety, by means of which many valuable lives might be saved. He did not think that the amount required for the completion of this work was excessive; and he did not think the money would be better spent for any other colonial purpose: £100,000 to complete both the breastwork and the wharves was all that was now required; and with the funds now in the hands of the Board, he felt satisfied that the works would be completed without making a further call upon the Government. He might also state that many gentlemen, and even members of that Council and of the other branch of the Legislature, had from time to time visited Oamaru since this work was commenced, and every one agreed in the opinion that this was one of the best colonial works that they had ever seen, and that it was carried out at the lowest cost. The district in the immediate neighbourhood was a very good agricultural one, producing a large quantity of grain; and now that the railway was completed to the Waitaki and would soon be completed to Timaru, a portion of the southern part of Canterbury would find an outlet for its produce at Oamaru. The facilities that this port would afford to the shipping would be such as would place the people of the district on an equality with those having Lyttelton and Port Chalmers at their disposal. He would not weary the Council by saying anything more on the subject, but he would ask honorable members to consider the real importance of this question—not as regarded Oamaru in particular, but as regarded the colony.

* The Hon. Mr. HART would particularly call the attention of the Council to the 8th clause of this Bill. He thought it was the duty of the Council, when they authorized money to be raised, to see that the lenders of the money had reasonable security. That clause provided,—

“The holders of the mortgages made and given by virtue of ‘The Oamaru Harbour Board Ordinance, 1874,’ previously to the first day of July, one thousand eight hundred and seventy-six, shall have priority over the holders of any mortgage given subsequently to such date; but no holder of any mortgage given or to be given subsequently to such date, either under the powers contained in the said Ordinance or in this Act, shall have any preference over any other holder by reason of any priority of date or otherwise,

but all such holders shall rank alike, and be entitled to equal rights."

Now, as far as he could understand, by the appropriation of the land in the schedule, those who were holders of mortgages given previously would have priority of security over the land given in the schedule over and above those who advanced their money hereafter. He thought it would be necessary to make provision that those who advanced money hereafter should stand on the same footing as those who advanced money previously.

The Hon. Mr. ROBINSON must admit that he was not intimately acquainted with this district; but they had had this question of the Oamaru Harbour Board before them on many occasions. Previously he had strenuously opposed the carrying out of works of this description, as he was under the impression that there was a great amount of risk attendant upon them. He must now admit, however, that, from all he had learned, it seemed that the Oamaru Harbour Works were a perfect success. In fact, he believed that its most strenuous supporters were surprised by the success of the undertaking. There was this difference between the present Bill and a great many others that had been submitted to them: In this case they had admitted the principle, and had committed themselves to a certain undertaking in which a certain amount of money had been spent. So far as he could gather, if this work were now allowed to stop, and nothing further gone on with, it would be a complete failure. He held in his hand a telegram from the Superintendent of Otago, in which he said:—

"Oamaru Harbour Board has had thirty-five acres endowment of land, £20,000 from provincial revenue, and £24,000 out of North Otago Loan. No money has been spent to better advantage in New Zealand."

This telegram strengthened the information he had received as to the money being well expended and likely to be reproductive. He did not wish the Council to understand that he intended to be inconsistent in the views he had expressed. He had stated that he thought these works should be carried on by the General Government; but at the same time he would never like to lay down a hard and fast rule for himself or anybody else. He confessed that in this instance he thought there was a difference, and he hoped the Council would consider it in that light. He thought they ought to do all that was necessary for the continuation of those works, and not turn into a failure what had up to the present time proved a great success.

* The Hon. Colonel WHITMORE would vote for the second reading of this Bill, and he hoped that in Committee they would hear a great deal more about the Oamaru Harbour Works. He had heard a great deal about the matter, but the proposals in the Bill were not made in a direction of which he at all approved. The intention of them was to endeavour in some way or another to provide funds, which the Oamaru Harbour Board had already received authority to raise. As far as he could understand the case, the Harbour

Board was legally entitled to raise £100,000 in debentures, but the difficulty in raising the money had hitherto been that the dues, which were the security, were at present monopolized by a boat service, which cost £8,000 or £9,000 a year, and which it was necessary to keep up until they got a little further on with the wharf, which was not yet fully available to vessels. He hoped the honorable gentlemen would give himself and those thinking with him credit—although their time was very limited on the Waste Lands Committee, and their opportunities for hearing evidence were consequently very limited—for doing their best to understand the case. He would not like to pledge himself to vote for the Bill in Committee until he had heard much more evidence. He wished to consider the question with the fullest desire to prevent any loss to the colony, and at the same time, if possible, not to give way on the principle which they had laid down as the proper policy in regard to endowments and borrowing powers.

* The Hon. Mr. PATERSON said that he had voted on the other Harbour Bills on the understanding which he thought was arrived at by the Council that the provisions regarding endowments as well as borrowing powers should be struck out of all the Bills; and that nothing should be passed except what was necessary to give the different localities what machinery was required to conduct their harbour arrangements until next session, when the question of endowment in each case could be considered with more care and deliberation than it possibly could be at this period of the present session. For that reason he had voted for the removal of these clauses from the Bluff Harbour Bill, which he should certainly not have done except on these grounds, and he thought each of these Bills should receive the same treatment. He would therefore vote against this measure.

* The Hon. Mr. CAMPBELL said, with regard to the remarks of the Hon. Mr. Hart, he had consulted the promoters of the Bill, and they would agree to the alteration he suggested in the 8th clause. He asked no honorable member to vote with him for the second reading of this Bill who would not agree to grant the endowment of land, which was really the substantial part of the Bill. They had all the machinery for carrying on the works, and what was wanted was money. He was prepared to excise the borrowing clauses, because there was already power to raise £100,000, which in the meantime would be ample.

Bill read a second time.

MOERAKI HARBOUR BOARD BILL.

* The Hon. Mr. HOLMES said this Bill was of a somewhat similar character to others affecting harbours which were engaging the attention of the Council. It was for the purpose of providing for a breakwater, docks, and wharves. Borrowing powers to the extent of £20,000 were asked for; but he would at once say he would abandon this portion of the Bill. There was also an endowment of land of 13,400 acres sought. With regard to Moeraki, he would

merely state that it was a natural harbour, sheltered from the southerly gales, with a reef of rocks with two entrances, affording excellent protection and accommodation for vessels when there was heavy weather on the coast. The great want at present was proper wharfage accommodation. Money had been spent there some time ago in building a wharf, which unfortunately was placed in the wrong position, not, he believed, in consequence of any mistake of the Provincial Engineer, but owing to other advice. It would be highly desirable, more especially as the railway running from Oamaru to Moeraki would be shortly finished, that vessels of considerable tonnage should be able to be accommodated at a wharf, so that trains might run alongside and deliver passengers and luggage on board without the necessity for cartage and other extra work. The wants of the people were not large. The demand made for 13,000 acres of land, and that merely grazing land, was not extreme; and therefore, if any of these Bills could find favour with the Council, he thought this one ought to. Before Oamaru was improved, Moeraki was the port of refuge to which steamers always resorted in case of bad weather, and where they always found sufficient shelter. He would merely move the second reading of the Bill, and leave it to honorable members to give it that attention on the Waste Lands Committee which it deserved.

Bill read a second time.

OTAGO HARBOUR BOARD BILL.

* The Hon. Mr. CAMPBELL, in moving the second reading of this Bill, was certain that it would commend itself to the Council, for it neither asked for borrowing powers nor for endowment. It simply provided for the election of members of the Board. It was proposed that the Board should consist of two members to be appointed by the Governor, two members to be appointed by the Corporation of Dunedin, one by the Corporation of Port Chalmers, one by the Corporation of South Dunedin and St. Kilda, one by the Dunedin Chamber of Commerce, one to be elected by those who contributed to the harbour dues up to a certain amount, one to be elected by owners of vessels, and the Collector of Customs, who was to have a seat *ex officio*. The Board would thus be constituted of ten members, and would be of a thoroughly representative character. He begged to move the second reading of the Bill.

* The Hon. Dr. POLLEN said his honorable friend had told them that one recommendation to the Bill was that it did not contain the usual borrowing powers. That was a recommendation; but the Bill did contain borrowing powers of a somewhat unusual character, to which at present he took exception. He alluded to the power which was proposed to be given in the 23rd clause to repeal section 12 of "The Otago Harbour Board Empowering Act, 1875." That was a process of borrowing to which he must strongly object. It was in point of fact borrowing from the public revenue of the colony a sum of between £2,000 and £3,000 a year. When the Bill was in

Committee, he would ask that that clause should be struck out. He had no other objection to the Bill. It was to provide a machinery for managing the affairs of the harbour, which the altered circumstances of the Province of Otago rendered necessary.

* The Hon. Colonel WHITMORE said the Waste Lands Committee was very hard-worked just now, and this Bill was not one of a character which required to go before that Committee. It involved no question which the Committee could at all clear up by discussion; and he would recommend that after its second reading it should not be referred to the Waste Lands Committee. He would support the second reading of the Bill.

The Hon. Captain FRASER trusted that this Bill would go before the Waste Land Committee. He had been so occupied all the morning on that Committee that he had had no time to examine this Bill. In the cursory glance he had given it, however, he noticed several objectionable features. While on this subject, he would like to inform the Colonial Secretary that the Provincial Government of Otago did a very extraordinary thing, which he did not think the honorable gentleman would approve of. They had made over the charge of the two powder magazines in Dunedin to the Harbour Board, and that body had actually leased those magazines. Now, he was under the impression that they had never been gazetted, and that the proceeding was altogether *ultra vires*. He did not recognize that the Harbour Board was the proper authority to be intrusted with a magazine. These magazines were in two caves, hollowed out of the rock at the bottom of a bluff immediately opposite the town of Dunedin, and about a mile distant; and, if any accident happened, there would be an immense loss of life and destruction of property, because the weight of the bluff was too great for the hill to be upheaved, and the whole force of the powder would be exerted in front, and the face of the rock would be blown into the town of Dunedin. He brought this matter under the notice of the authorities some years ago, and Mr. Thomson, the Engineer, was ordered to make a plan of a powder magazine near the sea beach, which he did; but the Government were probably too lazy to pay any attention to the matter, and nothing had been done. He now mentioned the subject to the Colonial Secretary, in the hope that that gentleman would cause inquiry to be made. Those two magazines should be removed as soon as possible, because they threatened great loss of life and property. A robbery of powder occurred at one of the magazines at the time of the war, and it had never yet been discovered how the powder was taken away. At that time he inquired as to who had charge of the powder magazine, and he was told the sweeper of the jetty. He took the Inspector of Police with him, and went into the magazine, where he found some fifty or sixty casks of powder strewn all over the place. There was powder in the magazine sufficient to have blown up half of Dunedin. He trusted the Colonial Secretary would give attention to this matter, and, in the first place, see that a proper magazine was erected; and, in the next place,

that it was gazetted, and that power was given to exact dues.

Bill read a second time.

KAKANUI HARBOUR BOARD BILL.

* The Hon. Mr. HOLMES, in moving the second reading of this Bill, said that the River Kakanui emptied itself into the sea about eight miles from Oamaru, and, like most of the New Zealand rivers, had a bar at the mouth. In consequence of its breadth at the mouth, the river had not sufficient force to wash the shingle away so as to make a good entrance for vessels of moderate tonnage. The Harbour Board had undertaken to remedy this defect, and he submitted a plan of the operations now in progress—namely, the building of two retaining-walls, one on each side, to lessen the width of the river where it flowed into the sea, and thereby insure that the shingle should be carried away, and an entrance made wide enough to admit vessels. The work was now in the hands of an experienced engineer, a Mr. Johnson, who was sanguine of success. £5,000 had been voted by the Provincial Government, and £5,000 by the Colonial Government, for this purpose, and about £6,000 more was required in order to complete the contract now in operation. The Bill proposed that power should be given to borrow £20,000, and that an endowment of land should be made to the extent of 6,000 acres. He supposed that, as in all other cases, they must abandon the borrowing clauses of the Bill, but he hoped the Council would at any rate give a small measure of relief, and consent to the endowment. The work was now in course of construction, and, so far as could be ascertained, it was a success. He believed the way it was being done was that the course of the proposed outlet was being piled on each side, and concrete then laid inside in order to keep the water within certain limits. Under the circumstances he had mentioned, he thought the Council should give this matter its favourable consideration. The district was a very fine one, and yielded a considerable quantity of produce. The largest meat-preserving establishment in the colony was in the vicinity, and hitherto the loading and unloading had been carried on by a boat service, which, however, would no longer be necessary if the contemplated improvements were carried out. If the work in progress were completed, he was told that vessels of 200 tons burden would be able to discharge and load with perfect safety. He begged to move the second reading of the Bill.

The Hon. Captain FRASER said the best reply to what had fallen from the Hon. Mr. Holmes would be that which was given not very long ago by a gentleman for whom the honorable member had great respect, and for whom he (Captain Fraser) also had great respect, and who was a member of the Government, when he said that this Kakanui Harbour was only for the benefit of those who had property in the vicinity, and that those gentlemen had his permission to mortgage their property to finish this work. Kakanui was within seven miles of Oamaru, and Moeraki was also within a very short distance—three harbours in twenty miles. It was perfectly

ridiculous. And he was to get a headache sitting on the Waste Lands Committee considering such a Bill as this! It was an absurd and ridiculous proposal.

* The Hon. Mr. STOKES said that, in order to strengthen what the honorable gentleman had just said, it should also be remembered by the Council that the railway from Dunedin to Oamaru passed immediately by this place. So that every reason why this Bill should not pass had been given to the satisfaction of the Council. It would be a pity to waste the time of the Council any further by a matter of this sort. If any honorable member would look at the map of the South Island, which lay on the table, giving the harbours and the lines of railway, he would see that, if there was a ridiculous excess in the harbours that were proposed to the Council for its acceptance, it was this to which the Bill now under consideration referred; and he thought he would do best to move that the Bill be read a second time that day six months.

* The Hon. Colonel WHITMORE was sorry he could not give the Hon. Mr. Holmes the support he would like to do in reference to this Bill; and he must call upon honorable gentlemen to recollect that they had been asked to discriminate between the various proposals brought before them. They did try to discriminate in the case of Waimakariri, but unfortunately they were not successful. He hoped they might be on this occasion. Considering that there was another harbour a short distance from Oamaru, and connected with the railway line, he would oppose the Bill.

Amendment agreed to, and Bill ordered to be read that day six months.

HOKITIKA HARBOUR BOARD BILL.

* The Hon. Mr. BONAR, in moving the second reading of this Bill, said it was similar in character to a number of other Bills which had been brought up this session; but he did not think any one of those Bills would recommend itself so strongly to the Council as this one, seeing that during the time the Council had been sitting the inhabitants of Hokitika and its vicinity had had their port blockaded for two or three months. It had been so bad, in fact, that owners of vessels were compelled to purchase the cargoes they had on board in order to take them to other ports, and so get rid of them. The inhabitants of Hokitika and the surrounding country might almost be said to have been short of food, as at one time there was actually not one ton of flour in the whole of Hokitika. It would thus be seen that the matter was a serious one, and, unless some remedy was applied, it would lead practically to the abandonment of that part of the country. The cause of that blockade was simple in itself. It simply arose from the inability of those who had control of these matters to find sufficient funds to prevent the separation of the river from the other waters that formed the outlet of the river. Any one acquainted with shingle-bed rivers would be aware of the extreme vagaries these rivers were capable of. This river was kept open to a great extent during the

winter by the water that flowed from a large lagoon. He might explain further that the difficulties to be contended with in connection with this port were of a threefold character. The first difficulty was the bar; the second was the providing of sufficient wharf accommodation for the vessels which visited the river; and the third was the conservation of the river-bank within and beyond the limits of the town. These different points were distributed over a series of different authorities, the principal authority at the present moment being the Corporation, which had charge of the wharf proper. The Corporation had expended the moneys as wisely as it was possible for them to do, and they were now, after going to considerable expense in building a large and substantial wharf, in a position of great difficulty. From the termination of the wharf to the foreshore, the port was under the control of either the Provincial Government or the General Government. The river itself was so divided in its character that it was not to be wondered at that such a serious accident should happen as had happened. He thought he had shown that it was necessary that the whole thing should at once be put under the care of one Board. All the parties concerned had concurred in this arrangement, and as a matter of fact this Bill had been brought forward at the request of the Corporation. He had in his possession documents to show that the Corporation wished the Bill to be passed, and showing also that the Corporation offered to hand over all their interests to such a Board as was proposed to be constituted. He might, however, say that although the matter had only come before Parliament at this late period of the session, yet the proposal for the constitution of the Harbour Board had been under consideration a considerable time. The original proposal, which was made to the Provincial Government, was that there should be an endowment of 100,000 acres of land given to the Board, and that it should have power to borrow £100,000; but he, in his capacity of Superintendent, did not feel justified in setting aside so large a portion of the public estate, and therefore the endowment was cut down to 50,000 acres. It had now been reduced to something like 29,000 acres, and, as honorable gentlemen were aware, 29,000 acres of land in Westland, covered with bush, was not such a valuable asset as it would be in some other parts of the country. Since he left Hokitika, he had received telegrams to the effect that the river threatened to leave the wharf which had been built high and dry. A sum of £41,000 had been expended on this wharf, or in connection with river works, and it was clear that something should be done in order to keep the water from leaving the wharf. This was, however, a question for the Waste Lands Committee to deal with. He would ask the Council to deal with the Bill on its merits. He found from the statistics that during the year 1875, forty-two foreign vessels arrived at Hokitika, their tonnage being 14,000, and there had also been 817 coasting vessels to the port, the tonnage of these being 38,800 tons. He would

leave the matter in the hands of the Council, and would content himself by simply moving the second reading of the Bill. It had been objected that in endowing this Board they were benefitting one particular part at the expense of the whole province; but it must be remembered that the whole province got its supplies from the port of Hokitika. The people of Hokitika had never before come to Parliament asking for money but once, but they were simply compelled to do so now. He moved the second reading of the Bill.

Bill read a second time.

DUNEDIN DRILL-SHED RESERVE BILL.

* The Hon. Mr. HOLMES, in moving the second reading of this Bill, said he would read an extract from the letter of a gentleman who took a great interest in the Volunteer movement. The gentleman he referred to was Captain Wales, who was recently a member of the other branch of the Legislature. In reference to this claim, that gentleman said,—

"Previous to the establishment of the Girls' High School, the Volunteers had a drill-hall and grounds adjoining the school. These were required, and were taken for school purposes. The Provincial Government promised to provide another drill ground and shed in lieu of it; but there was a difficulty in procuring a suitable site. At last these sections in Dowling Street were pitched upon, applied for, and readily granted, about the end of 1870 or beginning of 1871. The Provincial Executive said, 'We cannot vote you any money; we have a difficulty in meeting the most urgent wants; the piece of ground you have chosen is more valuable than we intended to give you. We value it at £800. We recognize your claim for a drill ground and shed in lieu of that taken from you. We give you this ground: make the most of it, but we cannot give you any money.' The Volunteers accepted it on these conditions. Mr. Bathgate, then Provincial Solicitor, carried an Ordinance through the Provincial Council, which unfortunately was based on the assumption that the land had been Crown-granted; and in consequence of this error, as I am informed, the Ordinance was disallowed. But the Provincial Government and Provincial Council have all along recognized the justice of the claim, by, on a subsequent occasion, passing a resolution (which ought to have been done in the first instance) vesting this land in the Volunteers. The matter has been left in abeyance till now, when, at the request of a deputation of Volunteers and others, the Executive have taken steps to carry out the arrangement."

In addition to that, he was in possession of a telegram from Mr. Macandrew, the Superintendent of Otago, to Mr. Reid, approving of the land being conveyed to the Volunteers. The whole of the land concerned was only seventy-seven poles, not half an acre. When this land was first given to the Volunteers, it was of little value, but now it was of considerable value. When it was first given to them it was a mere rock, but by means of reclamation works the value of the land had been largely increased. Large sums of money, both public and private,

had been spent in improving the land. The Volunteers had devoted a considerable sum of money and valuable time in connection with this movement. Although an honorable gentleman opposite seemed to look upon the efficiency of the Volunteers in Otago as somewhat doubtful, yet he believed that they were at least equal to the Volunteers of any other colony. This year the estimates for the Volunteers had been reduced by £1,000, and less than a third of the total amount voted for them went to the South Island. And there was very little probability of the Volunteers in the South getting anything after next year, so that the only benefit they would receive out of the public purse would be this endowment. On looking over the Blue Books he found that in the Province of Otago, there were 1,232 men and 313 Cadets. These had all been drilled, and they had proved themselves equal, at all events, to any other Volunteers in the colony. It had been said lately by an eminent man, that the race was likely to degenerate in New Zealand; but if honorable gentlemen were to see the Cadets in Otago, they would come to a very different conclusion. If they saw the broad shoulders, the robust frame, the good physique, and the ruddy cheeks of those who were drilled there, they would look forward to the future of the colony with the feeling that in all time coming there would be a race to take the place of those now in New Zealand at least equal in every respect to their forefathers. Another consideration in connection with this Bill was that, in the event of the force becoming inefficient, this piece of land would immediately revert to the Trustees of the University Council, and would be used for the purposes of a museum, hospital, and technical education; so that the Volunteers had only a nominal interest in the land while they were an efficient force. He hoped the Bill would be read a second time. It was really a very little Bill. He hoped his honorable friend Colonel Brett would give the Bill a careful consideration.

* The Hon. Colonel BRETT raised his voice against this Bill, for many reasons. In the first place, this was a very valuable piece of land, which was in the very heart of the city of Dunedin, and was, he believed, about half an acre in extent. The Provincial Council passed an Ordinance making over the land to the Volunteers, but the Governor disallowed it. This land was estimated to be worth from £10,000 to £15,000, and, very probably, in ten years more it would be worth double that amount. The Volunteers could make no use of the land except to build a drill-shed on it, which would be a great eye-sore in the fine city of Dunedin. The Volunteers had already a very fine drill-shed in Dunedin, which he believed could accommodate 2,000 men. If this land was handed over to the Volunteers, it would be equivalent to giving them an endowment of £1,500 a year; and should they hand over so much money to a body the days of which were numbered, and that certainly could not exist more than another year? He felt sure that, if the estimates had been brought down a little earlier this year, the whole of the Volunteers in the

South Island would have been disbanded. He believed that formerly it was intended to use this land as a site for the Supreme Court House, but it was too small; and he thought that to convert it into a site for a drill-shed, and so disfigure the beautiful city of Dunedin, would be a great scandal. Besides, according to this Act, the Volunteers would always have possession of this land, and it could not be used for any other military purposes. There was also a borrowing power in this Bill, which he was sure would stink in the nostrils of every member of the Council. Clause 11 gave power to raise money for the erection of buildings, and so forth. Why should they hand over this valuable piece of land, which would yield £1,200 or £1,500 a year, to a body of would-be soldiers for an indefinite period? He trusted the Council would not sanction such a thing. Apparently, all the trustees belonged to the Volunteers. The proper trustee of this valuable land was the Governor, or the Government. The whole of the clauses were most objectionable; and therefore he moved that the Bill be read that day three months.

The Hon. Captain FRASER concurred in a great deal that had fallen from the Hon. Colonel Brett. He thought this land far too valuable to give to a useless institution. The only useful purpose the Volunteers could apply this land to would be to set apart a certain portion of the proceeds to erect an earthwork somewhere about Hawes, where they could retire for protection in case of invasion. It would be the greatest folly imaginable to give away this valuable piece of land, which was worth £10,000 or £15,000. There was a piece of land opposite to it—less, he believed, than half an acre—on which a large warehouse was built, that was valued at £11,000. In a few years, the land might be worth £15,000 or £20,000. Besides, he could not recognize that the Volunteers had any claim to the land whatever. What he would like to see it applied to would be a School of Mines. At present it was a great reproach to them that they had no such institution in the colony. There was no other country in the world so metalliferous as New Zealand; and it was made a reproach to them by illustrious strangers that in other countries there was a School of Mines in every large town, but that here there was no School of Mines at all. He thought that, instead of vesting this land in a useless and effete institution, it would be much better to do nothing with it just now, to accept the amendment of the Hon. Colonel Brett, and let the General Government establish a School of Mines to teach our young men habits of observation, and to let them know and find out the riches of the land. This endowment would be quite sufficient to establish a School of Mines in Otago. He hoped the General Government, when they stepped in as the heirs at law, would apply the land to that purpose, and he trusted the Council would agree to the amendment.

* The Hon. Mr. BONAR regretted very much that the honorable and gallant members of the Council should be the first to oppose a grant to those who naturally looked up to them for sup-

port. It had always been the feeling of Volunteers that they should look up for support to those gentlemen who had done such good service in the regular army; and although they were not able to reach the height of perfection attained by those who had had the advantage of continued training, still they did their best to make themselves as nearly proficient as possible. He hoped the Council would not think fit to refuse this land, which had been already granted by the local authorities as being a suitable provision for this body, which, as shown by the figures quoted by the Hon. Mr. Holmes, was composed of considerable numbers. Those who had had experience of the matter would know that the people of Otago had always displayed a great deal of enthusiasm and ability in competing successfully not only in New Zealand, but in the neighbouring colonies, and also in the Home country, thus proving the proficiency they had acquired in the use of arms. There were a large number of Volunteers now banded together in Otago, who gave up their time to this most useful amusement. It was to a great extent a useful amusement, and one the Legislature should encourage in every possible way. There was quite enough sacrifice demanded of the Volunteers by the close attention they paid to their duties; and he thought that, instead of attempting to throw ridicule on them, the Council ought to encourage the movement as far as they possibly could. It appeared that the provisions of this Bill were hedged about very carefully indeed with restrictions, which would prevent any improper use being made of the land or the buildings erected upon it. They had, in the first place, a provision that buildings of a certain value should be erected; and he was sure that the names of the trustees, many of whom were personally known to him, were a guarantee that the buildings which would be erected, instead of being a discredit to the Volunteers and the noble city of Dunedin, would be a great credit and ornament. Allusion had been made to the granting of borrowing powers; but surely they would grant the same power for the erection of drill-sheds which they were granting in every possible direction to Athenæums. Special power was taken in connection with the 11th clause that no mortgage would be given admitting of the power of sale. Therefore there was no fear of this property passing away from the purposes it was originally intended for. If the Volunteers were able to borrow sufficient money to erect a suitable building, it would be an advantage to the town, besides being a great benefit indeed to many young men living in a large town like Dunedin. There was a wise and a useful provision which certainly obviated the difficulties suggested by the Hon. Colonel Brett as to the probable disbandment of the Volunteer force. He might take occasion to say he did not think that in any of their lifetimes would that be witnessed, whatever steps might be taken by the Legislature in the shape even of abolishing all money payments. The money payments they now received were as nothing. They did not touch the Volunteers' expenses. It was the spirit that existed in the

Volunteers, and the interest they took in training themselves to the use of arms, that kept the institution alive; and they would certainly be prepared to do such service as might be required of them, if occasion ever unfortunately arose. Every necessary provision was contained in this Bill in the event of the Volunteers ceasing to exist—and more than that, in the event of their ceasing to exist as an efficient body, which was a very important matter. It seemed to him that every possible care and precaution had been taken in connection with this measure, which was one he would most heartily support.

*The Hon. Colonel WHITMORE said it appeared to him that the principle of volunteering was opposed to this idea of assistance for building drill-sheds. He thought that in England these things were usually done by the Volunteers themselves. He had no particular objection to the principle of this Bill. If it was really intended that this land should be put to this purpose by the people who previously had power over it, he did not think it could be put to any much better purpose than to be given to the Volunteers. He wished to point out that there were one or two things in the Bill which were a little doubtful. In the 14th clause, he found that there were several corps of Otago Volunteers mentioned. He could understand one or two of these corps falling below the standard of efficiency, and he much doubted whether it would be proper that only one or two corps should take advantage of this property. Then he objected to the reversion of this property being possessed by the University of Otago. He had no objection, on principle, to giving the land to the Museum; but the Government had informed them that they intended to deal with this question of museums and public libraries next session, and the Government was undertaking the settlement of the education question. He conceived it was not right that they should anticipate the action of the Government, or in any way embarrass it by voting awards of this kind in anticipation. He thought that it would be well to reserve the reversion of this property to the Crown, and he would like to strike out the borrowing clause, which he thought had a tendency to destroy that self-reliance which ought to be a feature in a Volunteer corps; and he was not quite sure whether it would not be better to provide that, in the event of the majority of the corps failing in efficiency, the Governor should have power to resume possession of the property. However, he would not insist upon that. If the honorable mover would reserve the reversion to the Crown and strike out the borrowing clause, he would support the Bill.

*The Hon. Dr. POLLEN would not oppose the second reading of the Bill, but he entirely concurred in the remarks of the Hon. Colonel Whitmore in reference to the reversion of this property. He thought it was very desirable that, if at any future time it should happen that the reserve was to be no longer used for the purposes of the Volunteer force, the Assembly should be allowed to express an opinion at least as to the further application of it. He agreed with the

observations of the Hon. Mr. Bonar with respect to the Volunteer force generally in this colony. He knew what they had done in the North Island, and he regretted the reflections which were sometimes made on the force as a whole in the Council. In the absence of a Militia, which would probably be the most desirable force for the colony if organized properly, he thought that the Volunteer force had been a most admirable institution, certainly to his own knowledge in the North Island. His objection to the Bill was on the general ground. He thought that a military force ought not to be independent of those who had the supreme authority over it. As a speculative question, he did not think it was well to put a body of Volunteers in a position of independence, which the granting of a valuable endowment like this would place them in. The public land reserved for the purposes of a Volunteer corps should not be vested in the Volunteers themselves. In all respects, being a military force, they ought to be dependent on the Crown for their support, and not enjoying large endowments and revenues for themselves. It might be that the loyalty of the people of Otago, notwithstanding all they had recently heard, was of the highest standard; but, as a general principle, he thought that what he had stated would probably deserve some little consideration. He was not going to oppose the Bill, but he hoped that in Committee useful amendments would be made.

* The Hon. Mr. HOLMES, in reply, said the Hon. Mr. Bonar had met all the objections made to the Bill. The Colonial Secretary might rest assured of this, that the people of Otago were a loyal and law-abiding people. They had got too much common sense and too much good feeling to do anything that they would have reason to be ashamed of at any future period. He would only say that it was an unfortunate circumstance as regarded the Volunteers that they were not in possession of this land long ago. It was a mere accident that they had not had the land in their possession for the last four or five years; and he thought, when they took that into consideration, there should be no difficulty in voting for the second reading of this Bill. Provided it was read a second time, he would communicate with those who were interested in the matter, and learn what alterations they would be willing to consent to.

* The Hon. Colonel BRETT said that on that understanding he would ask the indulgence of the House to permit him to withdraw his amendment.

Amendment by leave withdrawn, and Bill read a second time.

WELLINGTON HARBOUR BOARD BILL.

* The Hon. Mr. HART, in moving the second reading of this Bill, said it was one that differed in its circumstances from any other Bill presented to the consideration of the Council having the same character or title. It was, in fact, a Bill which proposed to carry out that which the Council had on a former occasion affirmed to be the right thing to do—namely, to vest in the Harbour Board constituted by this Bill land now

in process of reclamation in front of the harbour of Wellington at this end, and the land which was still under the water at the other end, at present vested in the Corporation of Wellington. It also proposed to enable the Board to purchase from the Corporation of Wellington the Queen's Wharf and the Queen's Warehouse, and for these purposes to enable them to borrow £150,000. The origin of this Bill was a conference between a deputation consisting of members from the Wellington Chamber of Commerce and the City Council, which waited on the then Premier urging upon him the great necessity which existed for wharf extension. Any one who had seen the state of the wharf in this harbour within the last four or five months must be assured that that necessity existed. Referring to the statistics, he found that the tonnage of vessels entered inwards and cleared outwards in the port of Wellington exceeded that in any other port of the colony, although the number of vessels was lower than in many other places, showing the vessels were of large tonnage, and necessarily required wharf accommodation. They had heard of vessels being compelled to lie two deep at the wharves in other harbours; but at the Wellington wharf it must have been observed by honorable members that vessels were compelled to lie end on, which was a very different thing, and frequently steam vessels were unable to allow their passengers to land at the wharf on account of the space being occupied by other vessels. Of the money it was proposed to give authority to borrow, a sum of £19,000 was to be applied to wharf extension. It was proposed to devote the rest of the money to the payment of the actual expense for the reclamation of the land, it being understood that the Government would make a grant of this land to the Board without any such payment as was proposed to be made by the Bill which, during last session, was under the consideration of the Council. So that, in fact, the Harbour Board was to acquire the land now in process of reclamation at the Thorndon end at the cost of such reclamation, and the land under water at the other end. He thought that land, and the net income of £6,000 derived from the Queen's Wharf and Warehouse, would be regarded as thoroughly good security for the money proposed to be borrowed. There was one provision in the Bill which, to his mind, required to be guarded, and that was the authority given to the Harbour Board to reclaim any land which might become vested in them. He would certainly propose, when the Bill was in Committee, to insert a provision qualifying that clause to this extent: that no part of the land comprised in the schedule should be reclaimed until a proper system of drainage for the Te Aro district had been brought into force—until, in fact, the drainage of that part of the town had been thoroughly established. He could conceive nothing more mischievous, nothing more certain to create a pestilence in that part of the town, than the reclamation of the foreshore, or part of it, before the drainage of Te Aro had been thoroughly completed. He did not think it necessary that he should go further into this Bill, except to say

that it had the sanction of the Government, and he believed all persons who had been consulted, including the Chamber of Commerce of Wellington, the City Council, and the other authorities, and that it in effect carried out what the Council upon a former occasion decided should be done in these cases—namely, that the foreshores of harbours, and reclamations of foreshores of harbours, should be harbour endowments. With these few words he moved the second reading of the Bill.

Bill read a second time.

The Hon. Captain FRASER moved, That the Bill be referred to the Waste Lands Committee.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	24
					—
Majority against	...	...	...	...	21

AYES.

Mr. Acland, Lieut.-Colonel Kenny.
Captain Fraser,

NOES.

Captain Baillie,	Mr. Ngatata,
Mr. Bonar,	Mr. Nurse,
Mr. Campbell,	Mr. Peter,
Mr. Edwards,	Mr. Pharazyn,
Dr. Grace,	Dr. Pollen,
Mr. Hall,	Mr. Rhodes,
Mr. Hart,	Major Richmond, O.B.,
Mr. J. Johnston,	Mr. Robinson,
Mr. Kohere,	Mr. Russell,
Mr. Lahmann,	Mr. Scotland,
Mr. Mantell,	Mr. Stokes,
Mr. Menzies,	Colonel Whitmore.

The motion was consequently negatived.

Bill considered in Committee.

Clause 18.—Moneys constituting Harbour Fund.

The Hon. Colonel WHITMORE moved, That subsection 5, as follows, be struck out: "Moneys received by way of loan as provided by this Act."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	16
					—
Majority against	...	...	...	...	7

AYES.

Mr. Acland,	Mr. Hart,
Mr. Bonar,	Mr. J. Johnston,
Mr. Campbell,	Mr. Menzies,
Dr. Grace,	Dr. Pollen.
Mr. Hall,	

NOES.

Colonel Brett,	Mr. Peter,
Mr. Edwards,	Mr. Pharazyn,
Captain Fraser,	Sir J. L. C. Richardson,
Mr. Holmes,	Mr. Robinson,
Lieut.-Colonel Kenny,	Mr. Russell,
Mr. Lahmann,	Mr. Scotland,
Mr. Nurse,	Mr. Stokes,
Mr. Paterson,	Colonel Whitmore.

The amendment was consequently carried, and the subsection erased.

On the motion of the Hon. Mr. HART, the CHAIRMAN reported progress.

PATEA HARBOUR BOARD BILL.

* The Hon. Mr. HALL, in moving the second reading of this Bill, said its object was similar to that of most of the other Harbour Bills. The Patea River was the only outlet for a district of country which was perhaps the most fertile of any in New Zealand. He had not had the pleasure of seeing it himself; but he had heard from all persons who had seen it that it was not surpassed anywhere in New Zealand for natural fertility and its capacity to support a large population. The only outlet by sea at present was the River Patea, and that was a very unsatisfactory one. The water on the bar of the river at high tide would only admit of vessels entering of 6 feet draught of water. A very small steamer had been plying there, and she had lately been lost. The district, owing to this obstacle, had not made the progress in settlement and population that might have been expected. The Engineer-in-Chief, Mr. Carruthers, had visited the locality and examined the river and bar, and had come to the conclusion that, at a moderate expense, very considerable improvement could be effected. With the permission of the Council he would read a few words from the report furnished by Mr. Carruthers. He said,—

"If a depth of 8 feet could be maintained on the bar at Patea, the trade of the district could be carried on directly with Wellington, Dunedin, and Nelson; thus saving at least 25s. a ton for freight, while live stock could be shipped to the West Coast of the South Island at a moderate rate."

After inquiring into the circumstances, he came to the conclusion that that could be done by removing a dam in the river some distance from its mouth, and which prevented the inflow of the tidal water to a very considerable extent. If that were removed, a much larger quantity of water would flow into the river at the flood tide, and scour the bar at the ebb to such an extent as, if assisted by further measures, would increase the depth of water on the bar to 8 feet. Mr. Carruthers suggested that the following farther works should be done:—

"The guiding works at the bar would consist of a groin composed of loose rubble, reaching from the cliff at the boulder bank, for a distance of 13 chains; it would then curve nearly at right angles for 2 chains. The top of the groin would be brought to high water level, and would be 20 feet wide on top. The seaward slope would be 4 to 1, and the inner slope 2 to 1. The cost of this groin would be about £4,000, and its effect would be beneficial.

"A similar groin, 30 chains long, from the West Head, would cost about £24,500, and would complete the works. The latter need not, however, be undertaken at once, until the effect of the earlier groin is known.

"The rubble would be composed of blocks of volcanic rock brought from the boulder bank, and

covered with a pitching of the largest blocks. Part of the western groin will have to be formed of concrete, as the boulder bank will not furnish a supply sufficient for the whole of the works."

Therefore the only real risk would be that of the risk of the expenditure of £4,000, with the possibility of its producing the satisfactory results which Mr. Carruthers anticipated; and looking to the professional character of that gentleman, they might assume he would not recommend the expenditure unless there was a tolerable certainty of the work proving successful. The Bill proposed to constitute a Harbour Board on the same footing as those provided in other Bills which had already been before them. Those features to which objection had been taken, namely, what his honorable friend the Colonial Secretary called the usual borrowing powers—and he must admit that borrowing powers in a Harbour Bill were now expected as regularly as the title—and provision for an endowment, were also contained in this Bill. If the Council should extend to this measure the objection to borrowing powers expressed in other cases, he would not ask them to agree to that portion of the Bill. The circumstances of the case, however, were such that the Harbour Board would have no means by which it could raise revenue to carry out this work, and would probably be able to do little or nothing unless the Council should agree to the land being granted as an endowment which was specified in the schedule. The land was situated in the district. It was not a large block of land in one particular spot, but consisted of a number of different sections which were mentioned in the schedule, and which were partly on the Taranaki side of Patea and partly on the Wellington side, and some being town sections in Carlyle. If the Board were placed in the possession of this endowment, it would be able to undertake the works to which he had referred; and if they should have the successful result that had been anticipated, it would enable the trade of Patea to be carried on by larger vessels, and thus enable the district to trade direct with Wellington and the Middle Island. It would further enable the district to export cattle, which constituted a considerable portion of its exports, direct to the West Coast of the Middle Island, to the great advantage of both districts, and it would lead to the increase of population in what he was assured was one of the most fertile, and which was likely to be one of the most wealthy and prosperous, districts in the colony. Under those circumstances, he hoped the Council would agree to this Bill being read a second time, and referred to the Waste Lands Committee, to receive there such treatment as the Committee might think it fairly deserved. If the Council did not allow the borrowing powers, he hoped that at any rate they would not refuse to grant a considerable portion of the endowments asked for.

* The Hon. Colonel WHITMORE confessed that he had very great sympathy with the people of the Patea district. They were about to be made to bear the burdens of the small settlement round New Plymouth, which always appeared to him to come off first-best in any transaction in

which it was interested; and besides that district having received no less a present from the colony than a quarter of a million of money, which amounted to a gift of £100 to every man, woman, and child in that place, it had the singular good fortune of being allowed to undertake a breakwater there, which was to be charged on the Land Fund of the province; and if the proposal had not been intercepted the other day, there was a State prison to be erected at New Plymouth; and a railway was being begun at the present moment at the far end of the province, in the vicinity of the knot of people who lived round New Plymouth, and who exercised so much influence in this country. He had been appealed to on this very point by several of his comrades in arms who were settled at Patea, and who were among the best settlers in that part of the country, and also by some settlers in the province to which he belonged, who had extended their affairs by buying property in Patea, and who were looked on with respect there. They complained bitterly that the whole Land Fund of the province was to be taken to be thrown into the sea by being expended upon a breakwater at New Plymouth, which would be of no possible use to them. They said that the Patea Harbour was a matter of great importance to them, and for that not one penny could they get; and they asked, he thought not unreasonably, that their little harbour and the small sum which was required to put it in order should be taken out of the Land Fund, and put exactly in the same position as the New Plymouth Breakwater. They said that, of the 25 per cent. of the Land Fund allowed for the New Plymouth Breakwater, their harbour ought to have a part—say 5 out of 25 per cent. Considering that the bulk of the best land was in the Patea district, that the bulk of the stock of the province was there, and considering that they had no harbour at all, he thought theirs was not at all an unreasonable request. He was very sorry that he was obliged to oppose this Bill on the same principle that he had opposed the others. But he hoped that the Government would do the justice to the Patea settlers which he was not able to introduce into this Bill. He presumed it would be *ultra vires* for the Council to give them the money they asked as part of the first charge upon the land revenue. Their proposal in point of fact differed very little from the proposal contained in this Bill. In its essence, their proposal was that the cost of the harbour should be taken out of the Land Fund. The proposal in the Bill was of course to take land out of the Province of Taranaki for the purpose of the Patea Harbour. But it would be more reasonable, perhaps, that the New Plymouth Breakwater Fund should be made liable to a small extent rather than that fresh land should be taken—4,000 or 5,000 acres, as was proposed in the Bill—for the Patea Harbour. As they could not do justice to those settlers, he saw no way except to bring forward a resolution in the Council to the effect that the attention of the Government should be called to the circumstance of the want of harbour accommodation at Patea. The people of that

district had a right to be considered equally with the other Taranaki settlers in the matter of harbours. The settlement of Patea deserved very great consideration from the Legislature. The settlers there had undergone very great hardships in the war-time. They had just settled, and had not had time to acquire any means, when they were driven out by the war; and they had turned their energies to work to such good purpose since, and had made so much progress by their own industry, and had done so much in that district, that, he thought they were worthy of every respect and every consideration; and he would be very glad indeed if the honorable gentleman representing the Government would, before this subject was dismissed, intimate to him that some more substantial justice was likely to be given to these settlers than was contained in the proposals of this Harbour Board Bill. He trusted the honorable gentleman would not lose sight of the remarks he had made on this subject; for the feeling entertained by the settlers of that part of the country as to the injustice which was done to them, he was led to believe, was exceedingly strong.

Bill read a second time.

LAKE FORSYTH NATIVE RESERVES BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it was explained by the preamble. It had been promoted by the Provincial Government of Canterbury, to carry out an arrangement made with the Natives of that province for the reservation of this land, ten acres in extent, which, owing to want of attention somewhere, was allowed to lapse. The history of the reserve was this: At the time when the Native Land Court, in 1868, was sitting in the Province of Canterbury for the purpose of inquiring into the Native claims in the South Island, there was a piece of land, four acres in extent, on the northern side of Lake Forsyth, which was already reserved for the Natives. During that sitting of the Native Land Court very considerable additions were made to the lands previously reserved in that province on account of the Natives; and this reserve of ten acres was made in the particular locality, on the shores of the lake, where there had been an old pa, on condition that the four acres already reserved should no longer continue to be a reserve, but be handed over to the Government. The necessary recommendation was made by the Canterbury Provincial Government to the Colonial Government, but it was found that there was not then power to deal with the four acres as proposed, and thus to carry out the arrangement; the question was referred to the consideration of the Canterbury Government, where, unfortunately, it was allowed to rest until, as far as the authorities of the Land Office were concerned, the circumstances were entirely lost sight of. It thus happened, unfortunately, that this particular ten-acre reserve was sold; and as soon as it was known that the sale had taken place, and that the land was in the occupation of the purchasers, the Natives naturally and properly made their complaint of the injustice that was being done to

them—not intentionally, but inadvertently—and the object of this Bill was to redress that injury. It proposed that this land should be resumed, that compensation should be paid to the holders of the land, and that the charges of the process should be defrayed out of the revenue of the Province of Canterbury. He moved that the Bill be read a second time.

The Hon. Mr. G. B. JOHNSON did not intend to oppose the second reading of this Bill, but he would like to call the attention of honorable members to one point in it. The 8th clause stated,—

“Provided always that, if the person or persons so claiming shall not recover more than any sum or sums which shall be proved to have been offered by the said Superintendent to such person or persons as payment for the value of his or their estate or interest in such land, he or they as the case may be shall not be entitled to recover the costs of such inquiry or any part thereof.”

He disagreed with the principle therein contained, and he hoped that that proviso would be taken out of the Bill. There could be no doubt that the ruling authorities had been guilty of an oversight; but the fault was not that of those who were already in possession of the lands, and therefore their interests ought to be respected. If the proviso he had referred to were allowed to stand, it seemed to him that those persons would not be allowed to obtain such redress as they were entitled to. When the Bill came into Committee, he would move that that proviso be struck out.

The Hon. Mr. NGATATA was entirely satisfied with what had fallen from the Hon. Dr. Pollen in reference to this matter. The quantity of land involved was only about ten acres, and therefore it was too small a matter to waste much time in talking about. He hoped the Bill would be passed.

* The Hon. Dr. POLLEN said that the Bill had been drafted by the Provincial Solicitor of Canterbury. He had no doubt that the principle which had guided the Council previously in dealing with such Bills would guide them also in this case. He thought that it was necessary, in order to carry out the promises of the Government, that this Bill should be passed.

Bill read a second time.

WANGANUI HARBOUR BOARD BILL.

This Bill was considered in Committee.

Clause 20.—Moneys constituting Harbour Fund.

The Hon. Mr. BONAR moved, as an amendment, That subsection 6, as follows, be struck out: “Moneys received by way of loan as provided by this Act.”

Question put, “That the words proposed to be left out stand part of the clause;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	4
Noes	...	...	...	...	17
Majority against ...					13

AYES.	
Mr. Hart,	Mr. Menzies,
Mr. J. Johnston,	Dr. Pollen.
NOES.	
Mr. Acland,	Mr. Nurse,
Mr. Bonar,	Mr. Paterson,
Colonel Brett,	Mr. Peter,
Mr. Edwards,	Mr. Pharazyn,
Captain Fraser,	Mr. Robinson,
Mr. Hall,	Mr. Russell,
Mr. Holmes,	Mr. Stokes,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Lahmann,	

The amendment was consequently carried, and the subsection struck out.

The Bill was reported with amendments, and the third reading fixed for next sitting day.

The Council adjourned at half-past ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 20th October, 1876.

Second Reading—Press Telegrams—Consolidated Fund—Public Works Bill—Bluff Harbour Board Bill—Financial Arrangements Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

SECOND READING.

The Intestate Natives Succession Bill.

PRESS TELEGRAMS.

Mr. WHITAKER brought up the following report from the Press Telegrams Committee, as follows:—

"The Select Committee appointed to inquire and report to the House what facilities can be given to newspapers for the use of the telegraph, consistently with a due regard to its use by the public, and without entailing an undue loss of revenue, beg to report that they have agreed to the following resolution:—

"That the evening papers be allowed to send 500 words, at evening rates, per day during the next three months, by way of experiment, leaving it to the discretion of the Government to continue or not the privilege at the end of that time."

He proposed to say a few words in reference to the report, in order to save time. At present, evening papers were permitted to send 500 words during the day at evening rates, but that was only when the Assembly was in session. In ordinary circumstances, they were permitted to receive 200 words, and 400 words when a foreign mail arrived. They were not satisfied with that; and the Committee, who had gone carefully into the matter, had come to the conclusion to try an experiment—that 500 words might be transmitted at evening rates during three months after the close of the session; but if the Government found that this interfered very much with the public, or with the revenue of the department,

they would have an opportunity of placing the matter in its original position, or framing some other regulations until next session of the Assembly. He would not move the adoption of the report, but would inform the House that he, on behalf of the Government, proposed to carry out the recommendation of the report, unless honorable members felt disposed to intervene to prevent that being done. He would give the necessary instructions after the sitting of the Assembly to have the plan recommended carried out for three months.

Sir G. GREY would move, That the privilege proposed to be conferred upon the evening papers last until the next session of Parliament, so as not to leave the power in the hands of the Government.

Mr. WHITAKER would explain to the House that the recommendation of the Committee was in direct contravention of the opinion of Dr. Lemon, the Manager and Superintendent of Telegraphs, who pointed out, and very strongly urged, that much inconvenience to the public generally would be caused, and a loss of revenue, by the carrying out of the proposed arrangement. Notwithstanding that, the Committee had come to the conclusion to try it for three months.

Mr. MANDERS thought that the explanation which came from the Hon. the Postmaster-General would meet with the approval of the House. He was connected with an evening up-country paper in Otago, and it met with his approval.

Mr. REYNOLDS said that he was a member of the Committee, and was opposed to adopting the course proposed in the report; but the majority of the Committee were in favour of granting certain privileges to the evening papers. It would therefore be well for the House to agree to the suggested arrangement being continued until next session. At the same time, he felt perfectly satisfied that, when Parliament next met, it would be necessary to make an entire alteration in the mode in which the Press was supplied with telegrams. It was shown by evidence taken before the Committee that there was a loss of two-tenths to the colony on every Press telegram sent. He did not think that the Press should be put in so favourable a position as compared with the general public. He held that the mercantile public, and persons in business generally, might with some reason put in a claim to get their telegrams at as a low figure as the Press. He believed the result of trying this experiment until next session would be that Press telegrams, instead of being allowed to remain at their present rate, would be charged on a much higher scale. A large proportion of the Committee were connected with the Press, and of course they took very good care to look after the interests of the Press.

Mr. JOYCE must say for himself that, although a journalist, he had no pecuniary interest in any paper published in the colony. It was exceedingly unfair for the honorable member for Port Chalmers to make such accusations as he had done against members of the Committee.

Mr. REYNOLDS said he had thrown no imputation on any member of the Committee. He

merely meant that their sympathies were with the Press.

Mr. JOYCE said the honorable member now used the word "sympathies," but he previously said "interests." He had simply to repeat what he said before; and with regard to the remunerative nature of the telegraph business, he might say that there was no man who had caused a greater loss to the Telegraph Department than the honorable member for Port Chalmers during the time he had control of it. That honorable member abused the privileges of his position to send thousands on thousands of words to the Press, and continually and persistently gave privileges to that section of the Press which fell in with his own views. The honorable member did this by taking care to transmit during the night thousands upon thousands of words, so that they could be published in the morning; and yet he did not do the same thing to those journals which were published in the evening. He (Mr. Joyce) recognized no difference between the two sections of the Press. If it was desirable to give certain concessions to one portion, the same concessions should be given to the other.

Mr. REYNOLDS said the honorable member had made serious accusations against him, and he hoped he would explain what he meant. The honorable member should not make these accusations without being able to prove them. No doubt he referred to the Abolition Bill and the Local Government Bill, which were telegraphed last session to all parts of the colony. He might say that those Bills were telegraphed to both the morning and evening papers.

Mr. MONTGOMERY thought it was unfortunate the honorable member for Port Chalmers had stated that those members of the Committee who were connected with the Press were swayed either by their interests or their sympathies. He ventured to say that if such imputations were thrown out against members of Select Committees, the business of that House would not be conducted in a proper manner. He had risen principally to say that the recommendation contained in the report was a compromise; and having been agreed to by a great majority, he hoped the honorable member for the Thames would withdraw his amendment, and allow the matter to be carried out as suggested by the Committee.

Mr. REES understood the honorable member for Port Chalmers to state that out of every shilling received by the Government for telegrams they lost twopence. How could that be? Was it lost by a clerk in the streets or in the office? And having received the shilling, how could the Government lose twopence of it? Having been Commissioner of Telegraphs at one time, no doubt the honorable member knew something about the matter. He considered this a most suspicious circumstance, coupled with the antagonism which the honorable member proposed to set up against the interests of the evening papers.

Mr. WHITAKER explained that for every telegram which cost the Government a shilling to send, they only received from the Press twopence, so that there was a loss of twopence upon each.

Mr. REES must say that there was a confusion of ideas between the members of the late Ministry and the members of the present Ministry, and they did not understand the foundation upon which they stood. In relation to the statement of the honorable member for Wallace, he thought, if there was any foundation for that statement, it was a most serious accusation. If the Government favoured papers which favoured them, and acted against papers which were against them, it was a most serious matter, and showed that the Telegraph Department, as other departments of the Government, was being used for political purposes. The House should set its face against anything of the kind. One party might be in power to-day and another to-morrow; and if one side used the telegraph for political purposes, there was no reason why the other side should not also. The House should see that no department of the State, no officer of the Government, and no funds of the public should be used in the slightest degree for political purposes—that was to say, to support one party as against another. In relation to the Press itself, he might say that all honorable members felt sympathy for it, if they did not agree with individual members of it, and it was the means of throwing light upon all general subjects that were of interest to the public. If the proposition of the honorable member for Waikato conferred a benefit upon any portion of the Press, he was sure the House would be very glad to agree to it, and he did not see why the proposal of the honorable member for the Thames, for extending the time over which the experiments should be tried, should not be acceded to. There could be no great harm in trying the experiment for nine months instead of three; and the proposition of the honorable member for the Thames would have this advantage, that it would not put into the power of the Government to continue or stop the proceeding as they chose. The less the House left in the hands of the Ministry of the day, the better; and the more it took into its own hands, the more would it be for the advantage of the general public. The less power given to the Governor, the Governor in Council, or the Executive, to make any alteration to stop or to extend the process of the laws, the better for every one concerned.

Mr. WHITAKER explained that, although he had brought up the report, and proposed that it should be acted upon, he did not wish the House to understand that the report represented his views. The views expressed were the views of the majority of the Committee, and therefore he proposed to give effect to them.

Major ATKINSON would like to call the attention of the House to the fact that the House had instructed the Government to secure economy, and that this proposition, if carried, would lead to a loss of revenue. If the House left no discretion in the hands of the Government, it would be impossible to save money where it might be done, and it would also be impossible for the Government to come down next session and say that they had been able to make a saving. This was a matter of luxury. No doubt it was very pleasant to have morning and evening papers;

but the House must understand that if it desired this luxury, the country must pay for it.

Mr. KELLY was understood to say that he would remind the Government and the House that one way in which a saving might be made in the Telegraph Department would be that the Government should give instructions to the heads of departments not to make such extensive use of the telegraph in conducting departmental business, when letters would answer the purpose. The lines were to some extent obstructed sometimes by the sending of these messages. He knew that a circular had been sent, some years ago, to the different heads of departments under the Government, instructing them not to use the telegraph except for special purposes; and it would be as well to remind the Government of that fact, so that the instructions might again be given. In that respect economy might be brought about, and the colony itself benefited.

Mr. STAFFORD asked whether the Government could give any reason why different rates were charged to the morning and evening papers? There might be some explanation, but it appeared to him that a great deal of the present discussion had arisen out of the fact that a difference was made. For his part, he did not know why there should be any distinction. He did not know whether the Government assumed that the morning papers were more serviceable to the country than the evening papers; but whatever the reason was, he would like to have some explanation of it.

Mr. WHITAKER said the honorable member for Timaru and other honorable members were not present when the discussion began. If they had been, they would have known what the actual facts of the case were. They were these: Between five o'clock in the afternoon and eight o'clock in the evening all the papers were placed on the same footing, and received their telegrams exactly at the same price. The reason for transmitting telegrams at a lower rate during those hours was, that the pressure of the business of the day was past; the mercantile portion of the community had sent their telegrams, and the lines were comparatively idle. But the evening papers were published before five o'clock, and it did not suit them to take telegrams after that hour. It was arranged that they should receive 200 words at any time during the day at evening rates, a privilege which was not allowed to the morning papers, and the number was increased to 400 upon the arrival of an English or Australian mail. In addition to that, another concession was made to the evening papers, by which they received 500 words during the day while the Assembly was sitting.

Mr. STAFFORD expressed himself as quite satisfied with the honorable gentleman's explanation.

Motion negatived.

CONSOLIDATED FUND.

On the Order of the day being called on for going into Committee of the whole House to consider the following resolution, That the Colonial Treasurer be authorized to advance the sum of

£50,000 out of any money standing to the credit of the Public Works Account or of the Defence Loan Account, in aid of the Consolidated Fund; such advance to be in addition to the advances authorized to be made by the 14th section of "The Public Revenues Act, 1875," but to be otherwise subject to the provisions of the said section,

Mr. REES said,—I hope the House will consider this matter before agreeing to go into Committee. The House is, perhaps, already aware that the Treasurer has power to have an advance of £150,000 made from the Public Works Fund to the Consolidated Fund. It was now asked that another £50,000 may be advanced from borrowed money to the Consolidated Fund. I hope the House will not agree to anything of the sort. If a sum of £200,000 is to be taken from borrowed money for the purpose of the Consolidated Fund, if the Government have the slightest knowledge of the position in which their finances stand, or what the state of their finances is likely to be, can they say that the finances will be able to repay that money without the issue of Treasury bills? I hope the House will consider this before it goes into Committee. I do not know for what purpose the Government require any advance from borrowed money to the Consolidated Fund. Seeing that power has been already given for an advance of £150,000, the House should consider whether it should go into Committee for the purpose of advancing an additional £50,000 to be paid out of borrowed money to the Consolidated Fund. The Consolidated Fund should be able to make its receipts balance its expenditure.

Major ATKINSON.—I merely wish to say that the honorable gentleman is not at all acquainted with the finances of the colony. The statement he has made now must satisfy honorable gentlemen that he is utterly ignorant of what he is talking about. As to whether or not I know anything of the finances, I will leave the House to judge, and I shall be satisfied to abide by its judgment. The honorable gentleman is not aware of what is customary in these matters. It is customary to make in Committee the statement, explaining the reasons for bringing forward such a resolution as this; and unless the House intimates that it is desirable that I should make the statement before going into Committee, I shall reserve my statement until the House is in Committee.

Mr. BARFF.—I should like to know what would be the effect of this resolution, if carried? The Premier states that the honorable member for Auckland City East knows nothing of finance. It may be possible that other honorable members know nothing of finance; and for that reason it is advisable that, in cases of this kind, the Government should give some explanation. I do not mean to say that the honorable member for Auckland City East knows anything of finance; but the Premier to a certain extent wishes to justify himself by repeating words he before used regarding that honorable gentleman. It should be recollected that, during the present session, there was a great fight made against the honorable

member for Auckland City East being placed on the Public Accounts Committee. I think if there is one thing more than another which showed that the honorable gentleman knew something of public accounts, it was the fear of the Government and their supporters that he should be placed in a position of being able to call for persons and papers, to throw some light on the somewhat foggy accounts of the colony at the present time. The struggle that then took place plainly showed that they felt the honorable gentleman did know something about accounts. I think, before going into Committee, we should hear some reason for doing so, and also what will be the effect of carrying this resolution.

The House went into Committee.

Major ATKINSON.—I desire to make a brief explanation, as I do not expect the Committee to pass a resolution of this sort without some reason for so doing being given. Honorable members are aware that, under "The Public Revenues Act, 1875," there is power to transfer from the Public Works Account, as an aid to revenue, £150,000, in lieu of issuing deficiency bills for that amount. This is, I think, a most reasonable provision, to enable expenditure to be met while consolidated revenue is being collected; for any balance to the credit of the Public Works Account yields to the Government a less rate of interest than would have to be paid upon amounts raised by deficiency bills. Up to last session, no such power existed. There was only authority to raise £100,000 by deficiency bills; and that had now been found insufficient. The Act of 1875 contained more stringent provisions than had before existed. In particular, that Act made it necessary that all payments for interest in London should, on the day they were due there, be brought to account in the books of the Treasury. Prior to the Act of 1875, such sums were not brought to account here until, in ordinary course, information of the payments having been made was received from London. There was thus always an interval of three months between making payment and bringing the amount to credit. The Act of 1875 does away with the interval; and that is one of the principal reasons why the limit of £150,000, fixed by the Act, has been found, in practice, to be insufficient to afford a proper working balance. As a rule, the amount of consolidated revenue received during the first quarter of the financial year is less than one-fourth of the total receipts for the year; and for the quarter ended on the 30th ult. the receipts have been more than £50,000 less than a fourth of the total estimated receipts for the current year. Not only has that been so, but the amount paid as interest during the quarter is £400,000, which is £100,000 more than a fourth part of the whole year's interest. There are other items, both of receipt and expenditure, which specially affect the working balance during the first quarter of the year; and, in fact, the smaller proportion of revenue received, and the larger proportion of interest paid, during the quarter just ended, have more than absorbed the £150,000 of aid authorized by the Act of 1875. Such are the reasons why it has been found necessary to submit the resolution

now before the Committee. I desire to say that the fact I have stated as to the revenue for the quarter does not afford ground for supposing that the year's revenue will not equal the estimate of it. I know that it has been a question with some honorable gentlemen whether it is advisable to allow money to be temporarily taken from the Public Works Account in aid of revenue; but, after discussion, the House and the Government thought, last session, that it would not be desirable we should issue Treasury bills while there was an available balance to the credit of that account; and it was agreed that, under the stringent restrictions of the Act, a portion of that balance might properly be so used. I have explained why the amount provided for last year has been found to be not sufficient; and I hope that the Committee will be able to agree to the resolution I have proposed.

Mr. MONTGOMERY.—I think the honorable gentleman is in error in saying that £50,000 less is collected in the first quarter than in other quarters.

Major ATKINSON.—As a matter of fact, in the first quarter of this year the revenue was £50,000 less than had been estimated.

Mr. MONTGOMERY.—I understood the honorable gentleman to say it was usual.

Major ATKINSON.—Yes. The first quarter is usually less than the others, but not to that amount.

Mr. MONTGOMERY.—I would call attention to the Customs revenue of the two previous years. I see that the receipts for the September quarter, 1874-75, were £311,631; and for the next quarter, £292,758. In point of fact, there was a considerable falling off in the second quarter. That was also the case in 1875-76. The first quarter's receipts were £312,472, and the second quarter's, £303,608. So that instead of there being any increase in the second quarter, there was a falling off in 1874-75 of £19,000, and in 1875-76, £12,000. I do think that bears out the honorable gentleman's statement.

Major ATKINSON.—You will find that the later quarters are very much better.

Mr. MONTGOMERY.—The Customs revenue for the September quarter 1874-75 was £311,631, and for the June quarter £298,364. In 1875-76, the September quarter was £312,472, and the June quarter £291,489. I have not seen whether there is any falling off in the stamp receipts; but I do not suppose there is a falling off in one quarter more than in another. The Customs revenue does not bear out the honorable gentleman's statement. As to the other parts of the subject, I do not understand the necessity for getting this extra power, and I would like some more information.

Mr. LARNACH.—I will ask the Colonial Treasurer whether, in his opinion, it is usual that, when there is a falling off of £50,000 in the revenue in the first quarter, the whole year comes up to the estimate? Am I right in my conclusion? That is what I understood the honorable gentleman to convey.

Major ATKINSON.—No; I am afraid not.

Mr. STEVENS.—I would like to take this

opportunity of calling attention to the 14th clause of "The Public Revenues Act, 1875." The power given by the Act of 1867 was to issue deficiency bills to the extent of £60,000. In 1871, that power was extended to £100,000. By clause 14 of "The Public Revenues Act, 1875," power was given to the Colonial Treasurer to make advances to the Consolidated Fund out of money standing to the credit of the Public Works Account; and it was provided that the advances should be repaid within ninety days, and the amount did not exceed £150,000. As I read clause 14, it is intended to enable the Government to save interest by borrowing from the Public Works Account instead of borrowing upon deficiency bills issued in aid of revenue, and that, of course, is a perfectly reasonable proposition. But there ought to be some harmony between the amounts. There is no question, I believe, as to the power to issue deficiency bills in aid of the consolidated revenue, the limit being fixed by the Act of 1873 at £100,000. Section 14 of "The Public Revenues Act, 1875," gives power to raise £150,000. It appears to me that, if this power were exercised shortly before the end of the financial year, Parliament, on meeting, might find that it had virtually given, by this clause, power to issue deficiency bills to the amount of £50,000 more than was contemplated by the Act of 1873. I think that point is worthy of the attention of honorable members. This year, however, the Colonial Treasurer has already exercised or is about to exercise the power to the extent of £100,000, and he proposes now to supplement it by £50,000. Thus, the power would be extinguished, and no harm arise, because it is provided that the whole shall be paid within ninety days. A case might arise in which the Treasurer did not find it necessary to exercise that power at all in the earlier part of the year, but he might find it necessary to exercise it immediately before the close of the financial year, and then the total amount might be much more than was intended by the Act of 1873.

Major ATKINSON.—It is the intention of the Government to ask for authority by Act to issue deficiency bills for the amount of £200,000; and this resolution is simply a preparatory step. I shall ask for alternative authority either to issue Treasury bills for £200,000 or to take it out of loan.

Mr. STEVENS.—The honorable member recognizes that the two sums must harmonize.

Major ATKINSON.—Yes.

Mr. REES.—I find, on referring to Table H of the Financial Statement of last year, that in the year 1869-70, the Customs revenue for the June and September quarters was more than for the other two quarters: in 1870-71, they were the highest in the year; in 1871-72, they were £2,000 less; in 1872-73, they were £14,000 more; in 1873-74, they were £40,000 less; and in 1874-75, they were higher than the other two quarters. Thus, in three years these quarters were together higher than the other two, and in three years lower. I should like to know on what the Colonial Treasurer bases his statement; and I

hope the honorable gentleman will be kind enough to show us. The stamp duties, which form a large item of receipts, cannot vary very much.

Mr. TRIBE.—I think that an explanation is required about this. I am not quite sure I am right, but I believe that at the end of the financial year every shilling to credit in any Custom House in the colony is remitted by telegraphic order to Wellington, and brought to book. It is not taken into account in the next quarter, and consequently the amount available in the hands of the Government is so much the less; but that does not happen in any other quarter.

Major ATKINSON.—That is part of the explanation why at the commencement of the first quarter you have not money in hand to pay the expenditure. A whole week's revenue has not been received in Wellington, but is in the banks all over the colony, and we are behind in the books here, upon which the Auditors act. With regard to Table H, honorable members will see that in the majority of years the Customs receipts are less in the first quarter than in the others. I may say I have consulted very carefully with the officers of the Customs as to this matter, and they see no reason to believe that the receipts for the year will fall short of the estimate by more than a few thousand pounds, if at all.

Mr. REES.—I understand that in the first quarter there is a loss of one week's receipts as compared with other quarters—that is, one-thirteenth of the receipts; but that would not make a difference of between £50,000 and £60,000.

Major ATKINSON.—No, not quite.

Mr. MONTGOMERY.—Is not the week that would be short at the end of the September quarter to be made up by the receipts at the end of the June quarter; so that, in point of fact, there is in the September quarter as much money in the Treasury as in the June quarter?

Major ATKINSON.—No, because the receipts in the June quarter do not run on into the next year. The accounts are adjusted at the end of the year. We gain a week at the end of the year, which we lose in all the other quarters.

Mr. REES.—The position is this, I presume: that the last week of the September quarter is not counted to September but to the December quarter. Then the last week of December is counted to the March quarter, and the last week of March to the June quarter, which also is credited with its own last week; so that it gives the advantage of a week.

Mr. MURRAY.—It is very evident that the House is able to give information which the Government does not itself possess. This seems to be an admission of the fact stated by the honorable member for Akaroa, that the actual Customs revenue would not equal the estimate of the Government. Even according to their own showing, that the £30,000 carried to the credit of the next quarter is not taken into the calculation, there is still a deficiency of more than £50,000 on the quarter. That shows there is a falling off.

Major ATKINSON.—Not according to my statement.

Mr. MURRAY.—I think the honorable member said that there was a deficiency of £50,000.

Taking the £30,000 of credit from that amount, it leaves a falling off of £20,000 in the revenue. With regard to this £50,000 that it is now proposed to take, in addition to the £150,000 sanctioned by clause 14 of the Public Revenues Act, I may say we are now having the beginning of that system of drawing on the future which has been predicted. Treasury bills are now insufficient, and we are obliged to draw upon the consolidated debt of the colony to meet our present engagements, and to pay interest on our loans. It will have a very pernicious effect upon the credit of the colony at Home, now that we are about to raise more loans, when it is known that we are obliged to draw upon our consolidated debt to pay interest upon the loans themselves. This added £50,000 will require to be repaid, in accordance with the Public Revenues Act, in ninety days; and it appears to me that it is quite impossible for the revenue to meet that charge. There will, therefore, be a necessity to issue more Treasury bills. The honorable gentleman must remember that he has not got an inexhaustible fund in these loans. If honorable members will look at the figures in the Public Works Statement, and the two Financial Statements, they will find that taking the provincial liabilities, £750,000, and other charges, there will actually be to meet present engagements and liabilities—even supposing the whole of the guaranteed loan of £800,000 is exhausted—a deficiency of £190,000. That is allowing, also, that the £246,000 of doubtful provincial assets are taken into account. I suppose these £246,000 will be made a first charge upon the £750,000 of provincial liabilities. If so, then the £50,000 advanced to the Thames Pumping Association will be recovered from Auckland; but I doubt if the province is really liable, because it was only a collateral security. Even if it were liable, I do not think it would be fair to charge the debts of a private corporation upon any section of the colony. This, then, is only the commencement of drawing upon the consolidated debt, when we find our revenue is insufficient to meet our ordinary charges.

Mr. HUNTER.—The honorable member forgets that there was a statement made to the House the other evening showing the actual receipts of last quarter as contrasted with the corresponding quarter of the previous year. The Commissioner of Customs read to the House a statement showing that the Customs revenue for the September quarter, 1875, was £312,000, and for the last quarter £307,000, or a deficiency of something like £5,000. If the estimates for the whole year are taken, and supposing the Customs receipts of the other three quarters equalled those of last quarter, there would be a surplus at the end of the year of £5,000 above the estimate of the Premier. That was made clear and intelligible to honorable members. I think, therefore, the honorable member for Bruce was not right in his statement that there was a falling off to any material extent in the Customs revenue.

Mr. MURRAY.—The Premier says so.

Major ATKINSON.—No.

Mr. HUNTER.—I am stating facts which

were placed before this House, and any honorable member who adds the figures up and multiplies them by four will see what the Customs revenue for the year will probably be. My object is to show that the revenue has not fallen off in any material degree; and if honorable members will look into these figures they will see that it is as I have stated. One speaks at a disadvantage on a subject like this if one has not the figures to refer to; but I had a memorandum at the time I spoke before, and no doubt the figures will appear in due course in *Hansard*. Speaking from memory now, I think it was shown that although the receipts last quarter were £5,000 less than those of the corresponding quarter of last year, they were equal to the average of the eight preceding corresponding quarters. With regard to the other matter, I may say that I, in common with many other honorable gentlemen, have long thought it would be much more convenient for the Government and the Legislature if the financial year ended on the 31st March instead of the 30th June. If the accounts were closed on the 31st March, a calculation might be made for one year of the probable receipts and expenditure for the ensuing three months, and the accounts could be brought down in a complete state at an earlier period than they are now. Having to make the Financial Statement early in the month of July, without complete accounts, is very embarrassing to the Government and to the permanent officers, and does not tend to hasten business. The experiment might, I think, be made for one year, and I believe the result would be that the Financial Statement could be made at an earlier period, and the accounts brought down even in a more clear and intelligible form than they are at present. I have thought of mentioning this matter before, but have not had an opportunity of doing so. The present seems a fitting opportunity, and I hope the Government will take the matter into their consideration.

Mr. REES.—I understood the Premier to say that the last quarter's receipts were from £50,000 to £60,000 under the estimate.

Major ATKINSON.—Yes; but not the Customs receipts.

Mr. REES.—Of course. The whole receipts of consolidated revenue, and that was what the honorable member for Bruce alluded to. He did not allude merely to the Customs revenue, but to the whole revenue. I do not think it will be found that the general receipts for the September quarter are, as a rule, behind the other quarters, or, at any rate, they are very little behind. Last year, they were slightly behind; in 1874-75, they were considerably in advance of two other quarters; and two years before, they were slightly in advance of two other quarters. I would ask the Premier if he would be kind enough to state the gross amount of receipts for the September quarter, including stamps, postage, telegraph, judicial, and others, but not including recoveries.

Major ATKINSON.—The accounts are not yet made up, or I would do so. It is only the Customs receipts that are made up. The honorable member must understand that when we say the

revenue is estimated at so much, the estimate is for the whole year. At any time, we may not get in the full amount expected for that period of the year, but the estimate is on the whole year. Of course, the Government can only be guided by the statements of the departmental officers, that they see no reason, because the revenue does not come in to the full extent in any particular quarter, why there will be a falling off on the whole year. Taking my estimate of the Customs revenue for the whole year, £1,240,000, the receipts in the September quarter should have been £310,000, but they were actually £303,000. That includes the last week of September. I am informed by the other departments that they see no reason to suppose that the revenue will fall under the estimate for the year, whatever it may be for a particular quarter. But what I wanted the honorable gentleman to understand was, that the payments being certain, and the income uncertain, we must have a working balance. We have had to pay an extra amount of interest for this quarter of £100,000: instead of paying £300,000, which would be the proportion if divided by four, we have had to pay £400,000. Besides this, many other items of expenditure come in the first quarter, such as orders for stationery, &c., sent Home, and the Legislative expenditure. If I believed the revenue was going to be less than I had estimated, I should say so at once: there would be no object in concealing it.

Mr. REES.—The Committee will now see the truth of what I pointed out some little time since. This is the result of putting off the payment of the £125,000 from the old year to the new. It was appropriated last year, but was not paid out of last year's money, and therefore must be paid out of this year's money.

Major ATKINSON.—No.

Mr. REES.—It is no use the honorable gentleman saying No.

Major ATKINSON.—The honorable gentleman forgets that it is all a matter of account. If I had paid the £125,000 on the 30th June, I should have had £125,000 less to pay this quarter. It would not have made the slightest difference. What the honorable gentleman does not seem to understand is this: That when the amount for interest was put upon the estimates, the House had not come to the determination to make the year's transactions complete within the year; but we did last year very wisely determine to have no going from one year to another, but to close all the payments. That is the reason why that sum was not paid, but it does not give us any more money.

Mr. REES.—No; the Government would not have had any more money, but if they had had to provide that money last year they would have had to issue Treasury bills to the extent of £125,000.

Mr. MANDERS.—I do not believe in the honorable member for Auckland City East continually lecturing this House upon finance. Every time the Colonial Treasurer makes a statement upon the subject immediately within his own department, the honorable member for Auckland

City East makes rash assertions as to the correctness of those statements. If the people of Auckland City East had chosen the honorable member to represent them on account of his financial abilities, they certainly had made a very bad choice. We have all seen a rocket go up, and burst into a ball of fire, creating a great deal of fizz, and we have also seen the bare stick fall very unpretentiously. This is the best parallel I can apply to my honorable friend and his financial pretensions. I should have been glad if he had pointed out any blot in the Treasurer's figures, because naturally some defects may exist, and may not be apparent even to the Treasurer himself; but the honorable member for Auckland City East is always discovering imaginary errors and discrepancies. He says "This is so and so," and when it is examined it is found that it is not so and so. No doubt the honorable member would like to go back to Auckland and say, "I caught the Colonial Treasurer in a mistake about his figures;" but I think he is far from doing that. I have listened to the statements of each, and the conclusion I have come to is that he is no financier at all. I do not know what he would do if he were on the Public Accounts Committee; and as to enlightening the House, all I can say is that he does not enlighten me. I rose principally to indorse a statement made by the honorable member for Wellington City (Mr. Hunter), who suggested that the accounts should be made up annually to the 31st March. That suggestion, I think, should not be lost sight of. I quite agree with the honorable gentleman that making up the accounts to June or July does not give the Government a prior chance of dealing with the finances, and having the accounts made up as expeditiously as they might be. I hope the honorable gentleman will place his suggestion before the House in a more specific form.

Mr. REES.—I should like to ask the honorable gentleman how would he have got the money if the £125,000 directed to be paid in accordance with the appropriations of last year had had to be paid out of last year's money?

Major ATKINSON.—I should have obtained it by deficiency bills.

Mr. REES.—That is exactly what I said would have to be done, and the honorable gentleman laughed at me when I said so.

Major ATKINSON.—No, I did not do that; but I wanted to show that it did not matter whether I showed the cash in the returns of that quarter or not—that we should have no more money whichever course was adopted.

Mr. MONTGOMERY.—What is the mode to be adopted in making provision for the payment of interest?

Major ATKINSON.—The money will have to be remitted in time to meet it, so that instead of being brought to charge on the day it is due, it will have to be brought to charge two months before.

Mr. MONTGOMERY.—Quite so; and that will sometimes result in there being five quarters or nearly five quarters in the year.

Major ATKINSON.—Apparently it will be so.

Mr. BURNS.—If the accounts are made up

to the 31st March, would that enable the Government to call the House together at an earlier period? It would be a very great convenience to members if the House met in April or May, instead of June or July. Under the present arrangement, members from the country districts lost the whole of the spring season, which was a matter of great importance to them. He hoped that the Government would take the matter into consideration.

Resolution agreed to.

PUBLIC WORKS BILL.

Mr. RICHARDSON, in moving the second reading of this Bill, thought he would be consulting the views of the House if he only made a few remarks upon it. When this Bill was first taken in hand, it was intended that it should simply be a measure for consolidating the various Public Works and Railway Bills; but it was afterwards found necessary to go further, and provide powers for various bodies, particularly the County Councils and Road Boards. A very considerable amount of attention had been bestowed on the preparation of this Bill, and honorable members would see that it repealed forty-two Acts of this Assembly, and some sixty-eight Provincial Ordinances. A larger number of these Ordinances and Acts of the Assembly would have been repealed; but it was not considered desirable to do so until the County system got fairly into working order, after which it would be competent to repeal fully that number of Acts and Ordinances next session. This Bill made provision for the exercise of all the powers given under those Acts and Ordinances. One of the main alterations in this Bill had reference to Compensation Courts for determining claims for compensation for lands taken for public works, as it was considered that the present system was not a fair one. The Judge of the Supreme Court and two Assessors would constitute the Compensation Court. The person claiming compensation had power to name an Assessor. A part of the measure was devoted to providing powers for drainage generally, and another for providing for drainage of private lands, and outfall drains from such lands. For some time past this power had been very much wanted, particularly in the southern provinces, and he understood that it was considered a great boon to get the powers extended in this direction. The last portion of the Act referred to water-races, and did little more than consolidate existing laws on this subject. This Bill had been introduced in this House, but, owing to the large discussions on constitutional questions which took place, it was found desirable to send it to the Upper House to save time. It would be found that the Legislative Council had bestowed a very large amount of attention on the measure, and had made a great number of amendments, but not very large alterations, in Committee; and he hoped it would prove acceptable to this House. With these observations, he begged to move the second reading of the Bill.

Mr. MURRAY said that, so far as the honorable gentleman's speech in moving the second reading of this Bill was concerned, it would be of

very little value to them until they saw it in *Hassard*, as they had not been able to hear a word of what was said. This Bill was one of a series of Public Works Bills which had been introduced every session since 1870. It possessed this advantage, that it had been considered by the other branch of the Legislature, and therefore it was not open to the charge of crudeness applicable to some of the other measures; but there was this disadvantage, that any action taken in this House in altering the Bill would not be subject to the scrutiny of the members of the other Chamber. The provisions in the Bill with reference to the closing of roads were not a sufficient protection to the owners of property. There should be notice served on the owners of property before a road could be closed. In case of oversight or of temporary absence from the district, the owner of property might find that it had been seriously injured in value by the closing of roads. Provision was made for the appointment of officers by the Government from time to time for a period of five years. However desirable it might be to secure good officers, it was just possible that inefficient officers might be employed. If they obtained a good administrative officer, it might be an advantage to have his services secured for a period of five years. On the other hand, if they happened to get an inefficient officer, it would be a serious tax to be obliged to pay a high salary to an officer for a period of five years. He thought that it would be advisable that the House should have something to say as to the salary that ought to be paid to these officers. The House was now asked to surrender all control of the purse in this respect. There were some good provisions in the Bill. He approved of the provision for accounts of annual expenditure being laid before Parliament, and for the officers supplying annual reports on works to Ministers. With reference to the taking of land for public works, there was not sufficient opportunity afforded to objectors to make objections. It was provided that the Minister for Public Works might appoint a place at which the objector might appear and support his objection by such evidence as he might think fit to bring forward. He thought it would be well if some time were fixed at which objections could be heard. There should be some ample limit of time given to people objecting, to bring forward evidence in support of their case. The place fixed should be in the county where the land was situated, and should not be Wellington, or some place altogether remote from the district in which the work was to be carried on. In Committee he intended to move the insertion of a provision which would insure the selection of a convenient time and place for hearing objections. He objected to the provision relating to the purchase of railways the property of private companies. That should be amended, for it would be a serious thing to confer upon the Government the power of confiscating the railways of any private parties in the colony. There was another provision in the Bill by which reserves might be taken and absorbed for public works. He thought that was an interference with the rights of the

citizens. It might be that public reserves or gardens which might ultimately become the lungs of crowded cities would be taken up for Government purposes. It would be a temptation to the Government to absorb public grounds rather than buy land from private individuals. If the Government took these reserves, the property of the community, for railways, they ought to pay a reasonable price for them as if they were taken from private individuals. He approved of the provisions for drainage, and trusted they would meet the views of his honorable friend the member for Riverton, and those honorable members who took a deep interest in that matter. He would not say more upon this Bill, but when in Committee he would point out some amendments which he thought it would be desirable to make. He would not offer any opposition to the second reading of the Bill.

Mr. TOLE made one or two observations upon the second reading of this Bill. Of course, with the multifarious business before the House, and the approaching close of the session, they could not well go into a full consideration of large questions of this kind. He thought, however, the Bill went rather too far in the direction which was alleged to be its special merit—namely, of consolidation—as it repealed several Public Works Acts which contained provisions for the protection of public and private rights. He might mention one particular serious instance where the rights of the public had been improperly interfered with, in contravention of Acts whose protective force had been nullified by Acts of that Assembly. He had presented a petition from 900 petitioners concerning a public pier in the city of Auckland, which had been obstructed by certain reclamation works. The answer which the Government had given to the remonstrances of the Auckland Harbour Board was, that it was questionable whether they had any rights in the matter; and if they had, they were taken away by a certain Act of this Assembly. The interference with this pier was universally considered to be really a very great hardship. The pier had been enjoyed for a period of nearly thirty years by the inhabitants of the city of Auckland and the neighbouring district, and by Her Majesty's ships, and by fishermen. He considered it to be a monstrous injustice to deprive the people of a public right-of-way which had been enjoyed for so many years. The Bill had received very fair criticism at the hands of the other branch of the Legislature, and had also sustained some amendments, notably in the 10th subsection of section 89. In the original Bill, Road Boards were enabled to take from any land stone, gravel, and other material, without giving any compensation for the same. This arbitrary power was, however, amended in the Upper House, by the addition of a compensation proviso, for injury done and material taken. But, whilst he admitted the criticism which the Bill had thus received, and the amendments made, he could not help thinking that very important sections had been overlooked. He referred particularly to section 132, which ran thus:—"Where any part of a road, except where it crosses a railway on a level, is

taken for a railway, such part of the road shall thereafter cease to be a highway," and so on. Now, that section was a direct violation of all those principles of public and private convenience and protection which were laid down in the Railways Clauses Consolidation Act of the Imperial Parliament, and which were by "The Immigration and Public Works Act, 1870," incorporated with that Act, with the exception of a few sections which were repealed as not applicable to the colony. This 132nd section proposed to deprive the public of all highway rights, and make them subservient to the convenience of the public works. This was his interpretation of the section; but the Minister for Public Works would, of course, have an opportunity of saying, in his reply, what other meaning was intended. He sincerely trusted that those Acts which so jealously guarded the interests and rights of the public and individuals would not be repealed in the wholesale manner it was proposed to do by this Act. And here he might say that of late years a most pernicious practice had crept into this Legislature, where by the stealthy introduction of sections from year to year, or by the repeal of certain sections, in the Immigration and Public Works Acts of the colony, the public had been very seriously prejudiced. In this manner, the rights of free and direct passage to and from Short Street to Wynyard Pier were taken away—if taken away at all, which was a matter of considerable doubt, even in the mind of the Hon. the Postmaster-General, who, more in the capacity of law than of letters, expressed himself with a degree of uncertainty when giving evidence in relation to this pier before the Public Petitions Committee. And here he (Mr. Tole) would take the opportunity of expressing his notion of the utter absurdity of having a Public Petitions Committee. They never tended to afford any relief, because their decisions were rarely accepted by the Government. It was a very poor compliment to the deliberations of that body to see their decisions thus ignored. Such was the attitude of the Minister for Public Works in relation to the decision of the Public Petitions Committee on the obstruction of Wynyard Pier, to which he might be pardoned for alluding again. Though that Committee found that the pier had been enjoyed by the public for about thirty years, and decided that direct access from Short Street to the present pier should be given, yet the Minister for Public Works said that he would not be prepared to carry out that recommendation. He (Mr. Tole) hoped, however, that even now that determination would be altered; for, no doubt, great injustice would otherwise be done. Though the Bill might be read a second time, he hoped this wholesale deprivation of rights such as he had described would not be permitted to take place.

Mr. DE LAUTOUR thought the desire of the House was that the Bill should be read a second time with as little delay as possible: at the same time the fact that it was so was to be regretted. He would venture this further opinion, that it was to be regretted that a Bill of this nature, dealing or purporting to deal with the adminis-

tration of the public works of the colony, which was now the sole function of the Government, so far as it appeared from the proceedings of the House, was not introduced in this branch of the Legislature in the first instance. It seemed to him that, while no doubt, as a matter of order, the Bill was not a Money Bill, yet it came as close to a Money Bill as any Bill could possibly do, because it dealt with works for which the House voted the money. In fact, in some places, the provisions of the Bill purported to give power to the Governor to give away public property; and he thought that this Bill, being to that extent a Money Bill, should have been introduced in this House in the first instance. He really did not know what the other House existed for if Bills of so large a nature as this were to be brought to them from that Chamber; for instead of the Council checking the rash action of the House, the House apparently had to check that of the Council. It had been said that this was a Consolidating Bill; but there was something more than that in it. The Bill affirmed that, under the new system of constitutional government, all railways were to be constructed by the State, and that was a principle which the House should have had an opportunity of considering early in the session. He for one did not at all agree with that principle, for he thought that in a new country like this the fullest freedom should be given to any part of it to undertake any work which the population chose to go in for. The Bill provided—and he thought it was wise—that railways should be undertaken under the authority of a special Act; but it went further than that; and some clauses were so stringent that he fancied it repealed the Act already existing giving power to private companies to construct railways. No doubt that was not intended, and it was perhaps very bold for any men to say that it might be so; but he thought the clauses he referred to would, if they were fully considered, be found to infringe very seriously upon the powers already conferred upon private companies to construct railways. He would draw attention to clause 181, for instance, which, taken in connection with clause 184, seemed to be very peremptory. It might be said that this was a matter of detail, but it embraced the whole question as to whether there was to be any freedom given to counties or to any other form of local government to construct works of magnitude. It would have been well if the Legislature had adopted the principle of allowing the local bodies to construct railways or any other works they chose to undertake by the consent of the ratepayers of those governing bodies or of the inhabitants of a district. As it was, they would have to come to the House for everything. The House pretended to say that the changes they were about to make would exclude the possibility of members coming there for bridges, roads, and railways; but this Bill, if passed in the shape in which it was, would, he was certain, render it compulsory upon every County Council to send up one of its own members, or a member elected by the county influence, to this House to act in co-operation with similar bodies, each in

turn to support Bills to accomplish their objects and to force them through. He thought the argument which had been adduced why the railways should be kept in connection with the State in this country was that they would be profitable, and that the State should reap the profit on money publicly expended. But they found members of the Government getting up in the House and trying to prove that the railways were not paying, and would not pay, and therefore it would be no loss to Otago to take the railway revenue away from it. The Commissioner of Customs told the House the other day that there would be an annual loss of £39,894 upon the Otago railways. That statement was made as an inducement to Otago to be less chary of giving up its railway revenue. It would be useless to attempt to go into this subject at any length, and he would not weary the House by doing so. He, however, desired to observe that experience indicated that the public works of the colony were being constructed in a ruinous and extravagant manner, and in a very bad manner. In many cases the bridges would not stand, and the material used would not pass any test. Such railways as the Clutha line, in Otago, where there were no natural difficulties to contend with, were costing very nearly £8,000 a mile for a single line. These results were not at all favourable to the principle of carrying out public works under colonial superintendence. In cases he had had under his eye, in which colonial money was spent under provincial management, and owing, in a great measure, to the total want of arrangement and of interest taken in these works by the General Government, they had been carried out in a worse way than they had been when the money was expended under the superintendence of the General Government. They had been entirely at fault in carrying out the Public Works policy; and this Bill perpetuated a system, the results of which had been far from satisfactory. It would be of no use to oppose the Bill; and he would not take up the time of the House any longer.

Sir G. GREY begged to submit a question of privilege. This Bill had not been brought into the House in a right way. The Legislative Council had no right whatever to deal with it. The House ought to insist upon the Bill being brought in in proper form. He would ask Mr. Speaker's attention to clauses 214 and 215.

Mr. SPEAKER said that, after reading clauses 214 and 215, they did not appear to him to be appropriation clauses. Clause 214 provided that all moneys accruing from water-races constructed under the Act should be paid to the Public Account, and form part of the Consolidated Fund. That was not an appropriation. Clause 215 provided that any moneys payable under any agreement made under that part of the Act should be paid out of moneys appropriated by Parliament for the purpose. That could not be said to be an appropriation.

Mr. REES called Mr. Speaker's attention to clauses 211 and 212, which gave the Governor power to lease water-races, and to contract for making water-races on certain conditions.

Major ATKINSON said these clauses were governed by clause 215. He submitted there was no dealing with public money in these clauses. They merely gave the Governor power to make certain agreements, which would have no force or effect unless Parliament made provision for them under clause 215.

Mr. REES said the clauses gave the Governor power to make contracts, and those contracts must be binding on some one. They would not be binding on the Governor or the Government, but on the colony, and would be paid for out of colonial money.

Mr. WHITAKER pointed out that entering into a contract did not involve the necessity for paying money. A contract might be made, but it could only be paid for if Parliament voted the money. In clause 215 there was a distinct declaration that anything in the shape of payment for a contract must first be voted by Parliament.

Mr. SPEAKER said it did not appear to him that these clauses were in any way an appropriation. On the contrary, any contract entered into under them was subject to the vote of the House.

Sir G. GREY called attention to clause 220, which provided that all moneys accruing from any water-race vested in a County Council should be paid into and form part of the County Fund, instead of into the Consolidated Fund.

Mr. SPEAKER said there was no doubt in his mind that clause 220 was of a more questionable character than the other clauses to which his attention had been called; but he did not think it was fatal to the Bill, or that it could be regarded in the sense of an appropriation clause, which would render it necessary for the Bill to be treated as a money Bill. So far as his attention had been drawn to the Bill, he did not think that it was a Bill that should be rejected by the House on the grounds alleged.

Mr. TAIAROA rose to speak upon this subject, because the Bill referred to all parts of the colony. He would only refer to one part of it, and would not speak at any length upon it. He thought the Bill was only made for the benefit of Europeans—that was to say, of the strong side. There was a dispute about a certain piece of land at Greymouth, and a petition was sent in against the railway by the Natives there. No compensation was given for the land taken for that railway under the former Acts; and he was authorized by Ihāia, Tainui, and others to claim compensation from the Government. He got an answer from the Minister for Public Works that the land for the railway would not be paid for, giving as his reason that Government money to the extent of about £30,000 had been expended there. He did not consider that £30,000, because it was for the purpose of making a quay alongside which vessels could lie, and all the dues from vessels lying alongside it became the property of the Government. The Natives contributed £4,000 towards that embankment, and the railway went over the land which was reclaimed by the Natives and Government together; but the dues from the quay went to the Government, and the Natives got none of it. He thought that land should be paid for, as it was provided that land which was taken

for the purpose of railway construction should always be paid for. The Minister for Public Works gave also, as a reason why it should not be paid for, that the railway had done such benefit to the town, and consequently to the Natives; but the town was there before the railway, and the land upon which the houses were built, belonging to the Maoris, had been taken for railway purposes. Therefore it was that he considered this Bill only referred to Europeans, and that, in dealing with the Natives, the House was transgressing a portion of its own law. The law ought to be carried out exactly the same with both races, and, if Europeans were compensated, the Natives should be compensated also. He was not objecting to the Bill in any way, and only wished to see its provisions carried out fairly to both races. He had himself a claim to this land, and to all the land in that part of the Middle Island; but in consequence of the small quantity of land reserved to the Natives there, he had not set up any claim to it, and left it for the people who were living there. It was also provided in the Bill that the survey of the Native lands should be by a surveyor authorized by the Minister for Public Works. He thought the Government should confer with the Natives first before they went into any railway matters connected with Native land, and settle the price for the land before the railway was constructed. He urged the claims of the Greymouth Natives to be paid, as it was not right that the land taken from them should not be paid for.

Mr. THOMSON said one very prominent feature of this Bill was that it repealed a large number of Acts and Ordinances. He had counted the number, and found that there were considerably over one hundred repealed. He did not expect that any honorable member had read all those Acts and Ordinances, so that it could not be said there was any one in the House who thoroughly understood the meaning of the Bill. He had thought that amongst the large number of Acts repealed, there might perhaps be one which was passed last year—the Abolition of Provinces Act—but he could not find it in the schedule; although he found there Bills of far less importance—for instance, the Wellington Tolls Act, passed last year. One other prominent feature of the Bill was the very extraordinary way in which the rights and duties of County Councils and Road Boards were mixed up with the rights and duties of the Public Works Department. That was very objectionable. It must have the effect of making the counties and Road Boards imagine that they were branches of the Public Works Department; and they would send men to the House in order to carry out their views. He understood that the Legislative Council had so amended the Counties Bill that the Chairmen of County Councils could not be members of the Legislature; but it would still be possible for the County Councils to bring pressure upon the Government, either by sending up to the House members of the County Councils, or by influencing the member representing the district. They knew that the gentlemen who would become Chairmen and members of the County Councils

were all men of influence in their way, and if the sitting member did not exercise influence for the purpose of carrying out the views of the County Councils, they would use their influence against him when he again came forward for re-election. Further, the 91st clause was extremely objectionable. It provided that a road might by notification in the *Gazette* be made a Government road. By that he understood that the County Councils might by judicious means get a road in a county thrown upon the Public Works Department, and if they could do so of course it would be so much money saved to the county. No doubt that clause would be taken advantage of. It would be the object of the County Councils to get as much work as possible taken off their hands, and they would use all the influence they could to get this done. He contended that the action of the County Councils should not in the slightest degree come into contact with the Legislature. The Councils ought to have their powers, duties, and functions clearly defined; and if they were clearly defined, if the moneys they were to receive were fixed by Statute, if it were out of their power to bring pressure to bear on the House either through the Chairmen or members of the Council, there would be no objection to the Chairmen of the Councils being members of the Legislature. If, on the other hand, the Bill passed in its present shape, the County Councils would look upon themselves very much in the light of branches of the Public Works Department. He noticed that the duties of the County Councils cropped up in most unlikely places, and that these were of most unlikely character. Under the 172nd section of the Bill, the County Council was presumed to furnish a drainage map of the county in the first instance. That was a sample of the many curious duties the Councils were to perform. He should like to have seen the whole of their duties and powers put into one Bill, so that members of those bodies could take it up and understand it. They would then know their exact position. This was a very long and important Bill—a Bill which should have been placed in their hands before they came up to the Assembly, instead of at the end of a long session. They would then have had an opportunity of discussing it as it ought to be discussed. It certainly was impossible to do so in the few days that would intervene between this and the close of the session.

Mr. REES called the attention of Mr. Speaker to the great number of clauses in the Bill which raised the point, so distinctly laid down in "May," that a Bill of this nature, or any amendment to it, could not be introduced in the House of Lords. It was laid down upon the clearest authority, from the earliest case in 1661—the Westminster Paving and Repairing Bill—and through a long series of cases which had since occurred, that no Bill which made a monetary charge, or provided for the extraction of moneys from the Consolidated Fund, or provided for charges to be defrayed out of moneys to be voted by Parliament, could be introduced into the House of Lords. These were the words of "May"—

"So strictly is the principle observed in all

matters affecting the public revenues, that where certain payments have been directed, by a Bill, to be made into and out of the Consolidated Fund, the Commons have refused to permit the Lords to insert a clause providing that such payments should be made under the same regulations as were applicable by law to other similar payments."

Numbers of clauses in this Bill provided for this very thing. The 146th section, for instance, stated that—

"All moneys received by way of rents, tolls, fares, freights, carriage, fines or penalties, or otherwise accruing from a railway, shall be paid into the Public Account, and, except as hereinafter provided, form part of the Consolidated Fund."

The House of Commons, out of a jealous regard for its privileges, refused to allow the House of Lords to originate or amend any Bill containing such words as these. Again, "May" said,—

"In Bills not confined to matters of aid or taxation, but in which pecuniary burdens are imposed upon the people, the Lords may make any amendments, provided they do not alter the intention of the Commons with regard to the amount of the rate or charge, whether by increase or reduction; its duration, its mode or assessment, levy, collection, appropriation, or management; or the persons who shall pay, receive, manage, or control it; or the limits within which it is proposed to be levied. As illustrative of the strictness of this exclusion, it may be mentioned that the Lords have not been permitted to make provision for the payment of salaries or compensation to officers of the Court of Chancery, out of the Suitors' Fund; nor to amend a clause prescribing the order in which charges on the revenue of a colony should be paid. But all Bills of this class must originate in the Commons, as that House will not agree to any provisions which impose a charge of any description upon the people if sent down from the Lords, but will order the Bills containing them to be laid aside."

He would prove that this Bill was full of charges to be made on the community. It spoke distinctly of public works to be constructed out of moneys to be raised by charges on the people. "May" went on to say,—

"Neither will they permit the Lords to insert any provisions of that nature in Bills sent up from the Commons; but will disagree to the amendments and insist on their disagreement, or, according to more recent usage, will lay the Bills aside at once."

And then he went on to show how in some instances the Lords had been allowed to deal with Bills of this nature by leaving blank those clauses dealing with charges on the people, which were afterwards filled in by the Commons in order to make the Bill workable. There were clauses in this Bill which directly infringed that principle. For instance, there were the contracts which he had before spoken of, which were to be paid for out of moneys voted from the Consolidated Fund.

Mr. WHITAKER.—Name the clauses.

Mr. REES said the question might be raised under any one of the following clauses:—144, 145, 146, 147, 211, 212, 214, 215, and 220. Then there was the 6th clause, relating to the appointing of officers,—

“The Governor may from time to time appoint an Engineer-in-Chief, an Assistant Engineer-in-Chief, and such other engineers, managers, clerks, and other persons as may be necessary for the execution of all Government works; and all such persons shall hold office at the Governor's pleasure, and shall receive such salaries as the General Assembly determines.”

There were officers to be appointed, and to be paid out of funds voted by Parliament. The clause further said,—

“The Governor may enter into engagements, for a term not exceeding five years, with engineers and other skilled persons for service in New Zealand, at such salaries as he thinks fit.”

He could not understand the argument of the honorable member for Waikato, that the Governor could make contracts and then the Government would refuse to pay under those contracts. That would make their legislation worse than farcical. It would place the Governor in a false position. Did the honorable gentleman mean to tell the House that a person appointed by the Governor was not to be paid, or that he was not to have the right to sue if he were not paid? Surely if the House authorized the Governor, by Statute, to appoint these officers, it also authorized their payment? The honorable gentleman was lacking in logic, if not in law.

Major ATKINSON.—That is the law now.

Mr. REES said it was the first time in his life that he ever heard of such a law. He heard some gentlemen laughing; but he did not know whether that was the way in which they would conduct their own business. He would say emphatically that, under the Crown Redress Act, the Government could be sued; and if a case were placed in his hands, he would undertake to sue the Government and to obtain a verdict against them. Now that the Crown Redress Act was law, any person could sue the Government for the amount of a contract, and therefore it was clearly wrong to say that money could not be recovered. But if any money were recovered from the Crown, it would have to be paid out of the Consolidated Fund. It was one of the greatest privileges the Commons—the House—possessed, to have the control of the public purse. But even supposing the reverse was the law, that would not affect the question as to whether or not this Act would be a breach of privilege of the House. The 31st clause of the Bill said that—

“The purchase money of lands so sold shall be paid into the Public Account, or the County Fund, or the District Fund, as the case may be, and shall form part of the fund appropriated to the execution of the works in respect of which the said lands were taken under this Act.”

The fact was that the whole Bill dealt with the public funds. The 101st clause provided for fining people for offences on roads, and it wound up by providing that “every person so offending

shall be liable to a penalty not exceeding five pounds.” That, again, was a burden upon the people. Then, the 104th clause referred to the levying of tolls. But the Upper House had no authority to levy tolls. The House of Lords never took upon themselves the levying of tolls. It was the same down to the 121st clause. In Part VI., there were powers given to do all sorts of works in connection with the railways. The 145th section said that—

“The Governor may let, upon such conditions and for such terms as he thinks fit, any part of the land or buildings attached to a railway for the sale of refreshments, books, or other articles, or as sites for storing timber, coal, or other material, or the use of the walls of any such buildings, or of any part of the rolling stock, for the display of advertisements thereon.”

Clause 146 provided that—

“All moneys received by way of rents, tolls, fares, freights, carriage, fines or penalties, or otherwise accruing from a railway, shall be paid into the Public Account, and, except as herein-after provided, form part of the Consolidated Fund.”

If that was not dealing with public funds, he should like to know what it was. Then the following clauses provided that penalties should be inflicted for everything in the shape of nuisances on railways, even down to the smoking of tobacco. Then it was provided that certain fines should be inflicted for breaches of the by-laws. The 165th section provided that—

“The Colonial Treasurer shall in every month cause to be prepared a monthly railways working account, showing the total gross receipts accruing from each railway or part of a railway as the Governor directs, and the total expenditure upon the working management and maintenance of the same, during the previous month, and shall submit a copy of such account to the Commissioners of Audit; and all such accounts shall be gazetted and shall be laid before Parliament.”

Thus, the Governor in Council was given power to make all the regulations. Then it was provided that the Governor might lease railways on certain conditions. All the moneys received for such things would of course have to be paid into the Consolidated Revenue. He was not attacking the Bill, but was simply speaking to a question of privileges. Then there were all sorts of fines imposed for diverting water. Then it was provided that Ministers might make regulations for using water-races. In fact, a Bill had been introduced by the Council giving the Governor power over all sorts of things, which was what the House of Commons would never have allowed. If the House of Representatives was to keep possession of the public purse, such a thing ought never to have been received. They ought not to allow the Upper House to make any alterations whatever in money Bills. He submitted that this was not a proper Bill to be introduced to the other House.

Mr. SPEAKER asked the honorable gentleman to furnish him with the authorities from which he had quoted.

Mr. REES said he had quoted from “May,”

pp. 575-579, seventh edition. The Westminster Paving Case would be found in the Commons' Journals, No. 511. It was as follows:—

"A Bill, sent from the Lords, for paving, repairing, and amending the streets and highways of Westminster, and parts adjacent, was this day read.

"And this House observing that the said Bill was to alter the course of law in part, and to lay a charge upon the people; and conceiving that it is a privilege inherent to this House that Bills of that nature ought to be first considered here:

"Ordered, That the said Bill be laid aside; and that the Lords be acquainted therewith, and with the reasons inducing this House thereunto; and the Lords are to be desired, for that cause, not to suffer any mention of the said Bill to remain in the Journals of their House. And the Lords are further to be acquainted that this House, finding the matter of their Bill to be very useful and of public concernment, have ordered a Bill of the like nature to be prepared and brought in to-morrow morning. And the same persons who are to desire a conference with the Lords upon the amendments to the Bill for well governing and regulating of Corporations, are to carry up this message; and to put the Lords in mind of the Bill for the uniformity of publick prayers; and of the Bill for restoring of such advowsons and rectories appropriate to His Majesty's loyal subjects, as were taken from them upon their compositions by the late usurped powers.

"And the Knights for Middlesex, the Burgesses for Westminster, and Sir John Brampton are desired to prepare and bring in a Bill to-morrow morning, for the repairing and amending the streets and highways of Westminster, the parts adjacent, and of Shoreditch, Whitechapel, and Islington."

He submitted that the House ought not to allow the other branch of the Legislature to intrude upon the special prerogative of the House of Representatives.

Mr. SHEEHAN said it appeared to him that the Bill was entirely a breach of the privileges of this House, because the Upper House had dealt with the revenues of the colony, had made provision for expending them, and for imposing taxes and burdens upon the people. There were two points involved in this Bill: The first was the assertion of the exclusive right of this House wholly and solely to deal with the public revenue, to impose taxation, and to direct what should be done with it. He could specify a number of clauses in the Bill which impugned that principle. The second point was that the House should not consent to legislation on the part of the other branch of the Legislature which imposed charges on the people—that such Bills should not be originated in the Upper House. This Bill gave power for the appointment of officers, and the imposing of new charges on the people. In subsequent sessions, the House would not have power to refuse to vote the moneys required to be appropriated under this measure. The Government would say, "You made these appointments and imposed these charges by authority of law: there is the Act." The principle underlying the

rules of this House, in regard to supply, was this: that no legislation should pass this House, or the other House, which should impose a charge upon the people, or which would take money from the public revenue, unless it came through a Committee of the whole House, or a Committee of Supply. He would ask attention to two clauses in the Bill, which, to his mind, absolutely settled this point. He would ask attention, first, to clause 31,—

"The purchase-money of lands so sold shall be paid into the Public Account, or the County Fund, or the District Fund, as the case may be, and shall form part of the fund appropriated to the execution of the works in respect of which the said lands were taken under this Act."

If that was not an appropriation clause, then he did not know what was meant by an appropriation clause. Then there was the 153rd clause, which provided for the imposition of penalties on persons employed on the railways. Here was the 2nd section of the clause:—

"Penalties recovered under this section shall be paid into an account in the Public Trust Fund to be called the 'Railway Servant Fund,' and may be issued and paid in such manner as the Governor directs to or for the benefit of persons employed on railways."

Now, was that an appropriation of the public funds or not? These clauses imposed penalties, they directed that they should be paid into the public account, and authorized the Governor, of his own motion, to pay this money as he should think proper. If that sort of thing were to be allowed, they might as well at once hand over the whole of the public funds to the Governor to do as he thought proper, with the advice of his Executive Council. He contended that they ought to be very jealous of their privileges; they should not allow the other branch of the Legislature to lead them in the direction of additional taxation or expenditure of public money. It appeared to him that a Bill might be passed in this House by an overwhelming majority, and when it went to the Upper Chamber it might be turned upside down. He did not wonder at that, when the Government set the example of introducing a measure dealing with the public funds in that branch of the Legislature which had no power to discuss the matter. A Bill of this sort could not be introduced even in this House unless through the ordinary channel of a Committee of the whole House, or a Committee of Ways and Means.

Major ATKINSON said a very important question had been raised; and it was clearly the duty of the House to consider its privileges in these matters. In order to give Mr. Speaker time to consider the question raised, he would move the adjournment of the debate, and that it be resumed presently.

Mr. WHITAKER was not going to argue the question raised; but in considering this matter, the House should consider the position in which it placed itself in 1865 by the passing of the Parliamentary Privileges Act. That Act had been the subject of discussion in the Upper House and in this House on several occasions.

That Act had never been struck off the Statute Book, and under it the same privileges, powers, and immunities that were possessed by this House were possessed by the Legislative Council. He was aware that in 1866 the Legislative Council insisted that they had these privileges, and had passed resolutions from time to time to the effect that they had these rights conceded to them. He mentioned this in order that it might not be overlooked in deciding the question under consideration. The first part of clause 4 of "The Parliamentary Privileges Act, 1865," was as follows:—"The Legislative Council or House of Representatives of New Zealand respectively, and the Committees and members thereof respectively, shall hold, enjoy, and exercise such and the like privileges, immunities, and powers as on the first day of January, one thousand eight hundred and sixty-five, were held, enjoyed, and exercised by the Commons House of Parliament." That apparently conferred upon the Legislative Council the power of dealing with Money Bills, just as completely as it enabled this House to deal with them. He mentioned this in order that they might not place themselves in a false position in reference to this subject. He thought those powers and privileges were very improperly conferred on the Legislative Council, and they ought never to have been conferred on that branch of the Legislature. As he had not been in Parliament for some years, he did not know what action had been taken on the subject; but he knew that in 1866 the Legislative Council passed some resolution, which was to be found in the Journals of their proceedings, in which they declared that they had these rights, but that they would not on the occasion referred to insist upon them. It was a matter for the consideration of the House, whether this was a convenient occasion for having this matter settled; but in discussing the question before them, they should not lose sight of the fact that there was such a measure on the Statute Book. As the matter was to be postponed for Mr. Speaker's consideration, he had no doubt it would be carefully considered, and that a proper decision would be come to upon it. If it was desired that the matter should be duly investigated, he would be very happy to go into the subject, and inform the House of the result of his examination.

Mr. SHEEHAN was not about to go into the general question. The honorable member had alluded to the 4th clause of "The Parliamentary Privileges Act, 1865," the words of which, he contended, gave to both Houses the same powers, privileges, and immunities, and that the powers in regard to money matters were equal in both Chambers. The honorable member did not read the whole of the clause of the Parliamentary Privileges Act. After stating that the same privileges, immunities, and powers were enjoyed by both Houses of the Legislature, the following words occurred: "so far as the same are not inconsistent with or repugnant to such and so many of the sections and provisions of the said Constitution Act as at the time of the coming into operation of this Act are unrepealed." The 54th clause of the Constitution Act stated,—

"It shall not be lawful for the House of Representatives or the Legislative Council to pass, or for the Governor to assent to, any Bill appropriating to the public service any sum of money from or out of Her Majesty's revenue within New Zealand, unless the Governor, on Her Majesty's behalf, shall first have recommended to the House of Representatives to make provision for the specific public service towards which such money is to be appropriated."

The point was perfectly clear that that Act did not take any power from this House, but reserved to it the right of dealing with the expenditure of the public funds.

Mr. REYNOLDS said that in the session of 1866 a resolution was passed in the other branch of the Legislature; but Sir David Monro, who was then Speaker, had consulted the Law Officers of the Crown, who had completely upset the ground taken up by the Legislative Council. He had never known the Legislative Council since then to urge any claim that they had under the Act referred to by the Postmaster-General.

Mr. SWANSON thought a contention of the nature referred to had already happened, and the matter was referred to the highest authorities at Home. The case was submitted by this House without any argument, but the other House made the best case they could: yet the decision was in favour of this House.

Mr. WHITAKER thought that the honorable gentleman was to a certain extent mistaken. He believed the authorities to whom the matter was referred recommended the Legislative Council not to interfere with Money Bills.

Mr. JOYCE said that the Bill had originated in the Legislative Council, had been passed, and was introduced into this House for its assent. Every page of the Bill was a usurpation, on the part of the Legislative Council, of the rights and duties of this House—every page, he would not say every line, but every page, and nearly every clause. The "other place," as they were in the habit of calling it, had brought the House face to face with a difficulty they would have to face at some time. That other place was getting too large; it was assuming to itself functions it had no right to; it was assuming a position this House would have to assail, or rather to resist; it had taken upon itself to do what the House ought to have done, and taken upon itself to do what the Ministry ought to have done—it had taken upon itself the responsibility of this Bill, a responsibility which the Ministry should have taken upon themselves. It had, he presumed, during the last two or three months been incubating, and it had brought out this chicken at the last moment. It ought to have been before the House long ago. If members allowed it to be smuggled in and permitted it to pass with less scrutiny than it would have received if it had been introduced in this House, they would be doing very wrong indeed. He thought the Bill should be put aside as so much waste paper, in so far as its introduction from the other House was concerned. It should emanate from the Ministry of the day, and it should be spoken for and explained by them. It was a conglomerate,

a batter-pudding. There were six or eight different things rolled into one in the Bill. He had endeavoured to look through it, not having had an opportunity to do so previously, and he would say that no man could understand it until he took a very long time to consider it. It was a Bill for which the Ministry of the day should be responsible.

Mr. MANDELS said he held in his hand a Bill as introduced into the House by the Minister for Public Works, which was identical with the Bill that had come from the Legislative Council. He did not agree with the remarks of some honorable members, who said that the Bill was not a very useful measure, for it was—and he thought the House would agree that it was; but the powers of the House had been usurped, to use the language of the honorable member who had just sat down, by the other branch of the Legislature. The question honorable members had to try was, not whether the Bill was a good and valuable one, but it was the principle the deciding of which would become the great constitutional question of the session. Honorable members would see whether his assertion proved correct; whether he was right in predicting that. The point which had come to an issue was, whether the constituencies should elect members and send them up here to vote money and to exercise their taxing powers, or whether there should be only one Chamber, only one House, and that a nominee Chamber. In this great constitutional question his sympathies were entirely with the honorable member for Auckland City East, and the leader of the Opposition, the honorable member for the Thames. It ought to be thoroughly understood that the stand was taken not as against the usefulness of the Bill itself, but against the principle of allowing the Upper House to impose taxation.

Mr. RICHARDSON wished to state, with reference to the remarks which fell from the honorable member for Wallace, that the Ministry were responsible for this Bill. In July, he, on behalf of the Government, introduced it into the House, and it remained there for some time. Owing to the entire want of work in the other branch of the Legislature, it was suggested that the Bill should be removed from the House and sent up there. He moved a resolution to that effect, and the Bill was reintroduced into the other House. He merely mentioned that to remove the impression which would be derived from the remarks of the honorable member for Wallace.

Mr. JOYCE desired to explain that what he said was that this Bill originated in the Legislative Council.

Sir G. GREY thought the explanation of the Minister for Public Works was not a very satisfactory one. It would have been better to have found something else for idle hands to do than to play with the privileges of the House. He did not like to apply the old adage, but an interference with the rights of the House was not a proper thing to find for idle hands to do.

Debate adjourned.

BLUFF HARBOUR BOARD BILL.

This Bill was received by message from the

Legislative Council, in which they requested the concurrence of the House of Representatives.

Mr. G. McLEAN would agree to accept these amendments. The Legislative Council had left something in the Bill still, although they had struck out all the borrowing powers and the endowments. The machinery of the Bill was left, and therefore he would move, That the amendments be agreed to.

Mr. BURNS said this seemed to him to raise a much larger question than any that had lately been discussed. These Harbour Board Bills were measures which affected the public at large in a way that the Legislative Council had no right to interfere with. It was time the House took a stand in the matter. It appeared to him that, of all things, the borrowing powers and endowments clauses in a Bill of this sort the House should guard most jealously. If those clauses were struck out, the Bills would be rendered utterly useless. He would now therefore move, That the amendments be not agreed to.

Mr. REES would ask whether the striking out by the Legislative Council of these borrowing powers and endowments—and especially the borrowing powers—which were for the public benefit was not an interference with the privileges of the House of Representatives. These Bills being public Acts, and not being merely local and personal Acts, it was questionable whether the Legislative Council had any right to strike out the borrowing powers and endowments. He thought these Bills came within the category of those which the House had just been discussing.

Mr. BRANDON would take another point in regard to agreeing to these amendments: that was in relation to the conduct of the business of the House. It was highly improper that honorable members should be called upon suddenly to agree to amendments without the least opportunity of knowing what they were. The House agreed on a previous day to the striking out of a clause in the Debtors and Creditors Bill which ought most certainly to have been retained, and which the experience of this country and of the old country showed to be exceedingly necessary. All these amendments made by the Upper House ought to be circulated amongst honorable members before they were called upon to say whether they would accept them or not; and he thought the Ministry had acted very wrongly in the course they had taken.

Mr. SHEEHAN did not think there was much in the point raised by the honorable member for Roelyn in regard to the amendments made in this Bill by the Upper House. He did not believe that House had gone beyond its powers in striking out of these Harbour Bills the borrowing powers and the endowments of waste lands of the Crown. Neither did he think there was much in the objection raised by the last speaker. At that stage of the session, it would be impossible to wait until all amendments made by the Legislative Council in Bills were printed and circulated; and it would be rather hard if they could not take the word of honorable members in charge of the Bills as to whether the amendments should be accepted or not. If this Bill

were stopped now on that ground, not one out of all the Bills of the same kind that had been introduced would be passed this session. Some nights previously, when these Bills passed through the House, he characterized their passage as a funeral march, and, as far as he could see, his prediction as to their fate would be found to be perfectly true. In this case, the robust, living body that had been sent up to the Legislative Council had come back a mere dry skin—the borrowing powers were gone, the endowments were gone, and nothing was left but the preamble. His honorable friend the member for Waikouaiti said the machinery was left. It might be so, but it was only such machinery as might be seen in a model engine in a toy shop, with no oil or steam to put it in motion. All the honorable gentleman could do with it was to put it in a glass case until next session, to show what had been done. He agreed with the amendments made by the Legislative Council. He believed the House of Representatives would yet regret having in so hurried a manner passed all these Bills, which dealt so largely with the public revenues and public estate, and would have reason to be thankful that it was not the only place which the country could appeal to—that there was another Chamber, composed of gentlemen who had seen much more than the more youthful members of the House of Representatives, and could restrain and generally curb the exuberance of that House. He hoped all these Bills would come back shorn in the same way—excepting always the Oamaru Bill, which he took to be the model Bill of the session for dealing with harbours. He believed the Upper House would make an exception of it.

Mr. LUMSDEN demurred altogether to the eccentric speech of the honorable member for Rodney, and also to his statement that the Bill was no longer of any good. He contended that it was still of considerable importance. After having consulted several friends from the south, he might say that they would be content to take the skeleton, hoping to elaborate the body at a future period. At this late period of the session it was absurd to get into collision with the other House about this excision of the borrowing powers and the endowment reserves. He thought still that the constitution of the Harbour Board, to set the work in motion, would be valuable, and some good would come out of it. He would therefore prefer that the amendments should be agreed to, although he did not agree with them himself. He was sorry the honorable member for Rodney had so poor an appreciation of the harbours of the colony. He did not think it was likely that a single acre of land appropriated to the purposes of a Harbour Board would be misappropriated; and he would ask the House to agree to the amendments, in order that the Bill might pass this session.

Mr. W. WOOD requested that the amendments might be read.

Mr. G. McLEAN hoped the honorable member would not insist upon the amendments being read, as they were rather long. He would tell the honorable gentleman in a few words what

they were. The Upper House had struck out the borrowing powers and endowments, with exception of the foreshore; but there was still very useful matter left in the Bill. It was not altogether such a skeleton as the honorable member for Rodney would make out; and he (Mr. McLean) was quite content to take the measure as it stood as an instalment.

Mr. ROWE trusted the honorable member for Maitland would insist upon the amendments being read. He was utterly surprised that the Ministry should so tamely submit to these Bills being emasculated and destroyed as they were now. The honorable member for Waikouaiti said the borrowing powers were done away with—then the Bills were worth nothing, and it would be better to do away with them altogether. If there was one object for which borrowing powers should be obtained, if there was a single object for which endowments should be set aside, it was to improve the harbours of New Zealand. And yet, because the Upper House said, "You shall not have borrowing powers, and you shall not have endowments for this purpose," the Government tamely submitted to it, and set aside all that had been done in this House in the matter. Better do away with all these Harbour Board Bills at once, and wait for another session and then fight the matter out.

Mr. MONTGOMERY would bring under Mr. Speaker's notice the fact that these Bills were sent down by message from His Excellency the Governor, and had been considered as revenue Bills. Was it possible for the Legislative Council, under those circumstances, to alter the Bills, or treat them in any other way than it did revenue Bills?

Mr. SPEAKER said certain Bills were sent down by His Excellency the Governor, but those Bills were discharged.

Mr. WAKEFIELD said that, if the other branch of the Legislature had taken a somewhat unusual course in reference to this Bill, the House itself was in some measure to blame, for they should remember that nineteen of these Harbour Bills were rushed through Committee in the course of a single night. There was no discussion taken upon the details of any of them, and the onus of discussing the particulars of these Bills was thrown upon the Upper House. They should therefore not be too critical in considering the action taken by the other branch of the Legislature. They should remember that they had wholly abnegated their own functions in regard to these Bills. He thought the other House was placed in the most difficult position in the matter, owing to the manner in which the House dealt with the Bills. Instead of discussing the merits or the principles of each, it rushed them through in a single evening, and left it entirely to the other branch of the Legislature to do what they ought to have done themselves. They could not possibly have complained if the other House had thrown out these Bills one and all; but, recognising the importance of the measures, they endeavoured to discriminate between them, and he was bound to say they had shown a good spirit in dealing with them. Speaking of the Tamar

Bill, he was in a position to say that it went through the House in a state that was certainly not very creditable to them. For instance, certain clauses were taken *holus-bolus* out of the Municipal Corporations Act. They had nothing whatever to do with the subject of the Bill, and were entirely incompatible with it. The clauses, however, were inserted by the Solicitor-General, and did not receive very great consideration at the hands of the House; and he only mentioned that circumstance to show in what haste these measures were dealt with. Under all the circumstances, they should not blame the other House if it had somewhat exceeded its ordinary functions; and he hoped honorable members would not insist upon the observance of strictly constitutional points. If the Bills had been brought in earlier in the session, the House would have done exactly what the Council had done with them.

Mr. SHRIMSKI said it was not fair that the honorable gentleman should come in incidentally as it were, and charge the House with having acted in haste in passing these Bills. The honorable gentleman himself was one of those who were absent when the Bills were discussed, and took no part whatever in furthering their passage through the House.

Mr. WAKEFIELD explained that when he blamed the House, he blamed himself as much as any other honorable member.

Mr. SHRIMSKI said the Bills had been before the House since the beginning of the session; they had passed through four different stages, and were not dealt with in the hurried manner indicated by the honorable member.

Mr. W. WOOD said they had had a plain and unmistakable proof of the desire of the other branch of the Legislature to assume the functions of this House. They were sent there by the public of New Zealand to do certain things for the advantage of the community at large; and when the Upper House undid their work in this way, it was absolutely necessary that they should consider the advisability of effecting some constitutional change. Late as it was in the session, it was not too late to do that. As the amendments in the Bluff Harbour Board Bill were of an important character, he considered he would only be acting in the interests of his constituents if he moved that they be not agreed to; but as he did not wish to waste time, he would move that they be considered next day. He was entitled to a little time to consider their effect upon the Bill.

Question put, "That the amendments made by the Legislative Council be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	21
Majority for	...	...	...	...	10

AYES.

Major Atkinson,	Mr. Ormond,
Mr. Barff,	Mr. Pearce,
Mr. Bowen,	Mr. Reid,
Mr. J. C. Brown,	Mr. Richardson,

Mr. Bryce,
Mr. Button,
Mr. Curtis,
Mr. De Lautour,
Mr. Dignan,
Mr. Gibbs,
Mr. Hunter,
Mr. Johnston,
Mr. Kennedy,
Mr. Lumsden,
Mr. G. McLean,
Mr. Moorhouse,

Mr. Richmond,
Mr. Rolleston,
Mr. Sheehan,
Mr. Shrimski,
Mr. Stevens,
Mr. Wason,
Mr. Whitaker,
Mr. Williams,
Mr. Woolcock.
Tellers.
Mr. Kelly,
Mr. Pyke.

NOES.

Mr. Andrew,
Mr. Baigent,
Mr. Carrington,
Mr. Fisher,
Sir G. Grey,
Mr. Hialop,
Mr. Joyce,
Mr. Montgomery,
Mr. Murray,
Mr. Bees,
Mr. Reynolds,

Mr. Bowe,
Mr. Seaton,
Mr. Stafford,
Mr. Swanson,
Mr. Teschemaker,
Mr. Thomson,
Mr. Tole,
Mr. Wakefield.
Tellers.
Mr. Burns,
Mr. W. Wood.

The motion was consequently agreed to.

Mr. SPEAKER subsequently said,—It is my duty to inform the House that I have very carefully considered the provisions of the Public Works Bill, in deference to the wishes of the House; and I am of opinion that it would be inconsistent with the privileges of this House for it to entertain that Bill in the shape in which it has been introduced here from the Legislative Council; and on that account it will be laid aside.

FINANCIAL ARRANGEMENTS BILL.

The House went into Committee on this Bill.

Clause 4.—Charges on the Land Fund of a provincial district.

Mr. SHEEHAN moved the omission of the following words:—"With the payments to the Superintendent of the province abolished, as provided by section nine."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	25
Majority against	...	...	...	...	5

AYES.

Major Atkinson,
Mr. Bowen,
Mr. Button,
Mr. Fitaroy,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kelly,
Captain Kenny,
Mr. G. McLean,
Mr. Montgomery,

Mr. Pearce,
Mr. Reid,
Mr. Richardson,
Mr. Seymour,
Mr. Stafford,
Mr. Wason,
Mr. Whitaker.

Tellers.

Mr. Pyke,
Mr. Stevens.

NOMS.

Mr. Barff,	Mr. Rees,
Mr. J. O. Brown,	Mr. Reynolds,
Mr. Burns,	Mr. Seaton,
Mr. De Lantour,	Mr. Swanson,
Mr. Dignan,	Mr. Teeschemaker,
Sir B. Douglas,	Mr. Thomson,
Mr. Fisher,	Mr. Tole,
Mr. Gibbs,	Mr. Wakefield,
Mr. Hialop,	Mr. Williams,
Mr. Kennedy,	Mr. W. Wood.
Mr. Lumsden,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Baigent,
Mr. Murray,	Mr. Sheehan.

The amendment was consequently agreed to.
 Clause as amended agreed to.

Clause 9.—Salaries of Superintendents to be paid for their term of office.

Question put, "That the clause as amended stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	26

Majority against 6

AYES.

Major Atkinson,	Mr. Richardson,
Mr. Bowen,	Mr. Stafford,
Mr. Brandon,	Mr. Stevens,
Mr. Button,	Mr. Teeschemaker,
Mr. Hunter,	Mr. Whitaker,
Mr. Hurthouse,	Mr. W. Wood,
Mr. Kelly,	Mr. Woolcock.
Mr. G. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Pyke,
Mr. Pearce,	Mr. Wason.
Mr. Reid,	

NOES.

Mr. Andrew,	Mr. Moorhouse,
Mr. Baigent,	Mr. Murray,
Mr. J. O. Brown,	Mr. Reynolds,
Mr. Burns,	Mr. Seaton,
Mr. De Lantour,	Mr. Shrimaki,
Mr. Dignan,	Mr. Swanson,
Sir B. Douglas,	Mr. Takamoana,
Mr. Fisher,	Mr. Tawiti,
Mr. Gibbs,	Mr. Thomson,
Mr. Hialop,	Mr. Tole.
Mr. Joyce,	<i>Tellers.</i>
Mr. Kennedy,	Mr. Rees,
Mr. Larnach,	Mr. Sheehan.
Mr. Lumsden,	

PATRES.

<i>For.</i>	<i>Against.</i>
Mr. Fitzroy,	Mr. Barff,
Mr. Sharp.	Mr. Williams.

The clause was consequently struck out.

Clause 14.—Subsidies payable to Borough Councils, County Councils, and Road Boards.

Mr. SHEEHAN moved, That the following words be added to the clause:—"Provided, however, that the amount of any subsidies which, under this section and section 8, shall be annually payable to any county, road district, borough, or other local body, shall in every instance be re-

duced by the amount, if any, of any rents or revenues received by such local body during the previous financial year for or in respect of any lands vested as endowments in such local bodies under or by virtue of the provisions of any Act of the General Assembly, or any Act or Ordinance of any Provincial Council."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	28

Majority against 16

AYES.

Mr. Andrew,	Mr. Kennedy,
Mr. Baigent,	Mr. Tawiti,
Mr. Brandon,	Mr. Woolcock.
Mr. Button,	<i>Tellers.</i>
Sir B. Douglas,	Mr. De Lantour,
Mr. Gibbs,	Mr. Sheehan.
Mr. Hurthouse,	

NOMS.

Major Atkinson,	Mr. Reynolds,
Mr. Bowen,	Mr. Rolleston,
Mr. J. O. Brown,	Mr. Seymour,
Mr. Dignan,	Mr. Shrimaki,
Mr. Fisher,	Mr. Stafford,
Mr. Hialop,	Mr. Stevens,
Mr. Joyce,	Mr. Swanson,
Captain Kenny,	Mr. Thomson,
Mr. Larnach,	Mr. Tole,
Mr. Lumsden,	Mr. Wason,
Mr. G. McLean,	Mr. Whitaker.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Kelly,
Mr. Murray,	Mr. Pyke.
Mr. Reid,	

PATRES.

<i>For.</i>	<i>Against.</i>
Mr. Barff,	Mr. Fitzroy,
Mr. Burns,	Mr. Carrington,
Mr. Seaton,	Mr. Hunter,
Mr. Takamoana,	Mr. Pearce,
Mr. Williams.	Mr. Sharp.

The amendment was consequently negatived, and the clause agreed to.

Clause 22.—Revenues from sales of land, leases, &c., on gold fields to be Land Fund.

Major ATKINSON moved, That the words "leasing, letting, or other disposal," be inserted after the word "sale" in the first line.

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	7

Majority for 15

AYES.

Mr. Andrew,	Mr. Reynolds,
Major Atkinson,	Mr. Rolleston,
Mr. Bowen,	Mr. Seymour,
Mr. J. O. Brown,	Mr. Stevens,

Mr. Button,
Mr. Gibbs,
Mr. Hursthouse,
Mr. Kelly,
Mr. Kennedy,
Mr. Lumsden,
Mr. G. McLean,
Mr. Murray,

Mr. Swanson,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Pyke,
Mr. Reid.

NOES.

Mr. Fisher,
Mr. Hialop,
Mr. Larnach,
Mr. Sheehan,

Mr. Thomson.
Tellers.
Mr. De Lantour,
Mr. Shrimaki.

The amendment was consequently agreed to. Progress was reported, and leave given to sit again.

Mr. SEYMOUR, before the House adjourned, desired to say a few words by way of personal explanation regarding a vote he gave on subsection 5, clause 4, of the Financial Arrangements Bill. He was absent from the House when the question was put, and, when the division was called for, was discussing a matter of considerable interest with the Minister for Public Works. They both came into the House just before the doors were locked; he did not hear the question put, and by inadvertence went into the wrong lobby. He voted with the Ayes, but had he known the question upon which he was voting he should have voted with the Noes. He wished now to ask Mr. Speaker whether one of these two courses could not be followed: either that his name should be recorded with the Noes, or be disallowed altogether. In "May's Parliamentary Practice" it was laid down as a distinct rule that a member who had a direct pecuniary interest in a question before the House should not be allowed to vote, but the interest must be immediate and personal. "May" also said that the vote of a member who voted through inadvertence on a private Bill, in which he had a direct pecuniary interest, was always ordered to be disallowed. He had a pecuniary interest in this vote, in an indirect sense, because the subsection provided for compensation to be given to the Superintendents of provinces; and although it had been pointed out that the subsection only directed the payment to be made out of the Consolidated Fund if such payment was afterwards voted, he yet felt that, had he known what the question was when the division was taken, he should have gone into the lobby with the Noes.

Mr. SPEAKER said the rule appeared to be clearly laid down in "May" that, whether a member went into the wrong lobby through inadvertence or from any other cause, he was bound by the vote actually given without regard to his intention. It seemed to him, therefore, that the honorable member's vote could not be disallowed, but must stand as it appeared on the division list. With regard to the question of interest, it appeared to him that, where a question of public policy was concerned, the question of personal interest was at once superseded, and therefore was inadmissible. The honorable gentleman's vote, therefore, could not be called in question because of any alleged personal interest.

The House adjourned at a quarter to four o'clock a.m.

HOUSE OF REPRESENTATIVES.

Saturday, 21st October, 1876.

Second Reading—Third Readings—San Francisco Mail Service—Public Works Bill: Privilege—Qualification of Electors Bill—Manhood Suffrage Bill—Public Works Bill—Financial Arrangements Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

SECOND READING.

The Native Grantees Bill.

THIRD READINGS.

The Wellington College Bill, the Hospital Reserves Bill.

SAN FRANCISCO MAIL SERVICE.

Mr. WHITAKER laid on the table further papers relating to the San Francisco Mail Service, which were ordered to be printed.

Mr. WHITAKER.—I bring this matter before the House because it is become a matter of urgency, and we are called upon to answer a question contained in a telegram dated yesterday from the New South Wales Government, and which relates to a prior telegram sent on the 17th October. The position at present is that the service is on the eve of breaking down unless a new arrangement is made. It appears that Messrs. Gilchrist and Watt, the agents for the Company, have been instructed that unless some alteration is made, the contractors will pay the forfeit of £25,000, and the service will end. I do not propose to enter into any permanent arrangement, but to agree to a temporary arrangement that is suggested by the New South Wales Government. This arrangement was proposed on the supposition that the "Australia" would leave Auckland to-day. The New South Wales Government is mistaken in that idea, as she will not leave until either Sunday evening or Monday morning. I have telegraphed to the agents of the Company in Auckland, and it is probable she will not leave till Monday morning. It is urgent, therefore, that we should come to some decision, in order that instructions may be sent to San Francisco by the "Australia," as otherwise it would appear that the Company will pay the £25,000 and the service will at once stop. It is not now proposed, on the part of New South Wales, that any permanent arrangement should be made; but in order to keep the service going on, it is proposed that the contractors should be allowed to run the service as before, temporarily from New South Wales to Honolulu, thence to the Bay of Islands or Auckland, and thence to Sydney. The Colonial Secretary of New South Wales forwarded to the Government the following telegram, dated the 17th October:—

"Your parliamentary conditions, as communi-

ated to us on the fourteenth instant, would render continuance of service by Pacific Company impossible. The Company have telegraphed Gilchrist that they will forfeit penalty, and withdraw entirely, rather than run your coastal service, or undertake any responsibility in connection with it again. This colony will not be content with longer postal time without sharing in savings on subsidy, which, by your proposal, you claim entirely. Nor is it clear that there would be ten thousand pounds saving; for if the Company were to run coastal service, the reduction from present subsidy would be small. The only principle likely to be approved by our Parliament is, that whatever saving be effected should be shared equally by both colonies. We recommend reconsideration, and that the two colonies offer to the Company seventy-five thousand pounds, Frisco, Honolulu, Bay of Islands, Sydney, thirteen trips a year. Separate tender for the coastal service to be called and jointly approved. The cost thereof to be joint and equal between our respective Governments. The whole to be subject to the approval of Parliament. Meantime the service might be performed by proposed new route."

A further telegram, dated the 20th October, was received. It is as follows:—

"With reference to your first telegram of the 18th instant, we are with you that the saving on any new arrangement for the Pacific Mail Service shall be equally divided between our respective colonies. You say in effect, in your second telegram of same date, that while £5,000 would be sufficient for your coastal service if the mails be landed at Auckland, it would require more than £10,000 if they were delivered at Bay of Islands. We are unable to understand why you cannot arrange for the mails being carried from Bay of Islands to Auckland, which would place them in the position which you seem to desire, which we believe could be done for an annual subsidy of £1,000. You are already aware that the contractors will rather forfeit penalty than do coastal service. Pending our negotiation Pacific Mail Service, Gilchrist asks permission, in accordance with the concluding paragraph of our telegram of the 17th instant, to perform service by way of Honolulu, Bay of Islands, and Sydney. Do you consent? Reply promptly, as Gilchrist urgently desires to send instructions to Fiji by telegraphing to 'Australia,' leaving Auckland to-morrow."

That is the position in which the question now stands. Looking at the promise made on the part of the Government, I thought it due to the House to lay before it the whole matter, with the view of taking the opinion of the House on the subject as to what was best to be done. This is a private members' day, and I have no desire to go into any discussion to prevent the private business being proceeded with; but as this is a matter of urgency, I felt it to be my duty to bring it before the House. What I propose to do is this: to forward a telegram to the New South Wales Government to the following effect:—"As a temporary arrangement, pending negotiations, we consent to your proposal in telegram 17th October, substituting Auckland for Bay of Islands. Could not be otherwise for the present,

as only one small coastal steamer, unsuitable for San Francisco passengers, runs between Auckland and Bay of Islands, and no suitable steamer can be got to take up service pending negotiations only." This is what I propose to do, unless the House chooses to suggest anything else for the purpose of meeting the New South Wales Government. This will be only a temporary arrangement pending further negotiations, and these negotiations will be brought to a termination as speedily as possible. We propose this arrangement in order to prevent the risk of the service breaking down. Honorable members will see by the printed telegrams that the service is in that position that it will break down, and probably no other steamer will come if we do not make some arrangement of this kind. Hence it is that the New South Wales Government are so urgent that a reply should be sent by the steamer "Australia," with instructions that the service may be continued. What we propose to do will not commit the House to any permanent service whatever without the permission of the House. I move, That, as a temporary arrangement pending negotiations, the proposal of the Government of New South Wales, in their telegram of the 20th of October, be agreed to, substituting Auckland for Bay of Islands.

Mr. BURNS.—I wish to know if the mails will be distributed along the coast by the Government or the contractors.

Mr. WHITAKER.—The mails would have to be distributed by the Government here, at the joint expense of New South Wales and New Zealand.

Mr. COURTIS.—I wish to say that I quite agree with the resolution; but I do not quite understand as regards the permanent arrangements which have to be made, or what the Government propose to do with regard to the distribution of the mails from the Bay of Islands or Auckland, as the case may be. The resolution already comes to fix it absolutely that that distribution must be made by the Company contracting. The House will recollect that I moved an amendment to strike out these words "by the Company to deal with," stating that in the negotiations between the Government and the New South Wales Government, it would be very possible that the Government, by having their hands tied too tightly, might be put in some difficulty. The New South Wales Government urge that the distribution of the mails should be done by separate tender, to be approved of by both Governments. By the resolution already passed, the Government are precluded from entering into any arrangement of that kind. I wish to know whether the Government propose to ask the House to modify that resolution, or what course they propose to take.

Mr. WHITAKER.—I propose to bring the matter again before Parliament. I shall take no steps or enter into any contract that will be binding on the New Zealand Government until I have received the authority of the House to do so.

Mr. LARNACH.—I would like to know what guarantee there will be that any re-arrangement

will be faithfully carried out. It appears to me that our American cousins are ever ready to enter into bargains, and equally ready in quitting them if they are getting the worst of it; while, if the position were reversed, they would take care to keep us to our bargain. I think the contract should be upheld in its integrity.

Mr. WHITAKER.—There is a bond entered into for £25,000. I do not know whether this House would wish the contractors to increase the amount of the bond.

Sir E. DOUGLAS.—I think the "Hinemoa" steamer could be used to go to the Bay of Islands. She would be a suitable vessel for the purpose.

Mr. BURNS.—I think the House is to be congratulated upon having adopted the amendment proposed by the honorable member for Port Chalmers. It would have been a great pity if the matter had been dealt with otherwise. I do hope that the Government will be firm in this matter. I believe we shall never have any satisfaction with this service, and the sooner the Government make arrangements for another service, either by Suez or the Cape, the better. I am convinced that the present service will only be a temporary one, and that some hitch or difficulty will occur again. The Government should abandon the service altogether, and let us have another and a better service.

Mr. STAFFORD.—I think it is desirable that the House should agree to this resolution, as it does not bind the House to anything final. There is one question which should always be borne in mind—namely, that the New South Wales Government have really a much stronger desire to maintain the San Francisco Service than New Zealand has. There is a very considerable difference of opinion in New Zealand on this subject. The majority are, and no doubt wisely, in favour of that service, yet there is a very influential minority that care very little about it. Now, the New South Wales Government have a very strong desire to maintain this service rather than revert to the position they occupied in regard to Victoria, when they never could agree in reference to the P. and O. Service, especially when Victoria determined that the terminus should be at Melbourne. That is a question on which there is a very strong feeling in New South Wales. New South Wales should very properly be required to forego something when we are foregoing what was certainly intended to put us on a par with New South Wales. I refer to the change of terminus. No doubt, having a terminus at any port is of great advantage to that port. The docking and repairing of vessels causes the expenditure of a great deal of money in the port where the terminus is, and New South Wales is getting the whole benefit of that by the proposal which this House has already agreed to; and we, on our part, I think, have a right to stand out against the evident desire of New South Wales that we should pay half of the cost of the whole service, while a considerable portion of the profit is theirs alone.

Motion agreed to.

PUBLIC WORKS BILL: PRIVILEGE.

Sir G. GREY.—Sir, I rise to a question of privilege. I move the following resolution, on which I need make no remarks, the subject having been before us yesterday:—Resolved, That a Bill sent from the Legislative Council for public works having been yesterday read, and this House having observed that the said Bill was to alter the course of law in part, and to levy charges upon the people, and to provide for the payment and destination of funds of the Colony of New Zealand, and conceiving that it is a privilege inherent in this House that Bills of that nature ought to be considered here, it is of opinion that the said Bill having been laid aside, that the Legislative Council be acquainted therewith; and the Legislative Council are to be desired for that cause not to suffer any mention of the said Bill to remain on their Journals. And the Legislative Council are further to be acquainted that this House, finding the matter of their Bill to be useful and of public concernment, have ordered a Bill of like nature to be brought in.

Mr. REES.—The words of the motion of the honorable member for the Thames are the exact words, as nearly as they can possibly fit the circumstances of New Zealand, that the House of Commons unanimously agreed to, in 1661, in relation to the question of the Paving Bill, a matter which was questioned here last night. It had been the established law of the old country for nearly 300 years, and it was the first occasion upon which the House of Lords was asked in that explicit manner to take all mention of a Bill from their records. They at once, upon receiving the resolution of the Commons, complied with it. I believe nothing would be more likely to put upon a certain footing the relative positions of this and the other branch of the Legislature than by passing such a resolution as that proposed by the honorable member for the Thames, and forwarding it to the other branch of the Legislature.

Mr. ROLLESTON.—I agree with the principles of the resolution as proposed by the honorable member for the Thames. At the same time, I think it should be taken into consideration that this Bill was originally brought into this House, and we were then informed that it would be taken from here and sent to the other House. We then made no remonstrance against that course of proceeding. Under these circumstances, any resolution passed by the House should recognise that we were a party in the first instance to what was done.

Major ATKINSON.—I think we shall all agree that it is our duty to protect the privileges of this House, but I shall hardly be prepared to agree to this resolution, because, I take it that we have thoroughly vindicated our privileges by laying the Bill aside. The honorable member for Avon has pointed out that we were, practically, consenting parties to the Bill being withdrawn for the purpose of its being sent to the Upper House; and it does not appear to me to be at all desirable to do anything which will tend to produce a conflict between the two Houses. The breach of the privileges of this House which

has been committed was, as it were, through our own consent and inadvertence, and it would not be wise to pursue the matter too far. I think we have sufficiently vindicated our position by laying the Bill on one side. The measure is, undoubtedly, one of very great importance, and it does seem, looking at the whole question, unwise for us to take any other action than that we have already taken. No doubt, the late Government and the present Government are primarily to blame, for having sent this Bill to the Legislative Council; but it was done with the view of expediting public business, and after this House had been consulted and informed what it was intended to do. I trust the honorable gentleman will see his way, in the interests of the public business, to withdraw this motion, on the ground that you, Sir, and this House have sufficiently vindicated our privileges by directing that this Bill should be laid on one side. The motion, I submit, cannot protect our privileges more than they are already protected, and it might possibly give rise to a feeling between the two Houses which it is very desirable not to produce.

Sir G. GREY.—The matter is one of very great public concern. I would simply put this question: Will the Government consent to this debate being adjourned until half-past seven, to give me time to consider what course I should take?

Mr. SHEEHAN.—I do not think the Upper House is at all to blame in this matter. I have spoken to several members of that House, and so far as I am aware they are very sorry that this has occurred. At the same time I cannot accept the doctrine of my honorable friend the Premier, that because the House consented to this Bill being sent to the Upper Chamber, it has no right to pass such a resolution as that proposed by the honorable member for the Thames, because it was to be presumed that the measure sent to the Upper House would be one which it would be competent to deal with. It was to be supposed that Ministers would act according to the law. It is an oversight which has arisen out of the very laudable desire to expedite the business of the session; and I think we are very much to blame for the manner in which the business has been conducted, for the Upper House has been practically without work week after week. I believe the resolution can do no harm, for it will but reassert a right which has been called in question; and I do not doubt that it will be accepted with perfect friendship and in a spirit of fair-play by the other House.

Mr. REID.—I object to the adjournment of this matter. Although the introduction of this Bill into the other House is a breach of our privileges, yet we had better not draw this line too fast. I hold in my hand the Public Health Bill which we passed this session, and it provides how rates are to be made for various purposes and to provide the means for expenditure. Clause 34 provides for the infliction of penalties; and, indeed, there was no limit to the penalties in it. It laid burdens on the people, yet it was brought down from the other House, and we passed it here with acclamation. There was no censure passed in

that case for having sent such a Bill to us. The fact is, we can scarcely pass any Bill which does not place burdens upon the people in some shape or another. I think it is unwise to stretch this line too tightly. I think that the Bill to which reference is now being made, with the exception of the clause which gives power to levy tolls, does not in any very direct way lay a burthen upon the people; and even that clause did so in a very indirect manner. I cannot see that any great good will be secured by passing such a resolution as this, because it does imply a censure on the other House; and I think this House is able to vindicate itself, and has done so by putting the Bill aside.

Mr. MONTGOMERY.—I think, Sir, that we should adjourn the debate. If the other House has fallen into an error, it has been through the action of this House; but I think it is unwise that we should put on the records of this House the view it entertains in respect to Money Bills.

Major ATKINSON.—I think that this matter should be disposed of at once. One division already appears on the records.

Mr. BARFF.—I do not think there is anything to be objected to in the resolution before the House. There is nothing in it that can in any way be offensive to the other branch of the Legislature. An error has been committed, but the mistake was originally made by the Government, and not by this House or the other branch of the Legislature. The honorable member for Avon has pointed out that when the withdrawal of the Bill from this House and its introduction into the Legislative Council was proposed, no protest was made against that course. However, I very distinctly remember it being a rather common matter of conversation among members at that time, that in all probability this would turn out a Money Bill, which could only be originated here, although that point was not brought forward in the House until the honorable member for the Thames introduced it last night. I think there is nothing positively or even at all offensive in the present resolution, and I know no reason for objecting to its being passed.

Mr. STAFFORD.—The question as to whether it would be offensive to the other Chamber is a matter that we can hardly decide; but they will decide it for themselves. It might not be considered so, and yet there might be some members of that Chamber who would not like a resolution being passed by this House ordering them to expunge from the records all mention of the Bill. We should remember the introduction of the Bill into the Council was done with our privity and consent, and we may be said to have condoned any breach of the privileges of this House which may have been committed. I think this House, having determined to reassert its privileges by setting aside the Bill, has really shown that it will not allow its privileges to be invaded by any action taken in another place. At this period of the session, when it is very possible there may be a necessity for conferences in respect to amendments made in Bills by both Houses, it is very desirable that those conferences should be approached without any latent feeling of irritation.

I should hope that the honorable member for the Thames would be able to see his way not to press this motion. I think the House has reasserted its privileges sufficiently by the action taken with reference to this Bill; and I hope the present motion, which under other circumstances—if the Bill had been initiated by the other branch of the Legislature *proprio motu*—might be agreed to, will be withdrawn, because it would be likely to cause a feeling—I do not say certain, but likely or possible to cause a feeling—prejudicial to legislation at this period of the session.

Mr. SPEAKER.—Perhaps the House will not consider it improper in me to offer an observation in this matter. I will read to the House what appears in the Journals in reference to this Bill:—

"Public Works Bill. — Mr. Speaker stated that, having considered the provisions of the Public Works Bill, he was of opinion that the Bill could not be proceeded with consistently with regard to the privileges of this House.

"Ordered, That the Bill be laid aside."

I think that is a sufficient and conclusive vindication of the privileges of this House. If we went further, we should be doing more than the occasion requires, because we cannot say that there are no grounds for considering that this invasion of the privileges of the House was intentional. It may be necessary on some future occasion to place such a motion on record, but the present occasion is one that does not require it. I think the honorable member for the Thames would be very wise, if I may venture to say so, in contenting himself with having brought this question before the House. The precedent, however, referred to has not, I believe, been adopted in the House of Commons for a very long period—I think over two hundred years. I hope the House will excuse me for having ventured to give an opinion on the subject.

Sir G. GREY.—Sir, I still think that the House should be allowed time to consider this subject. I conceive this to be one of the most important questions that has ever been brought under the consideration of this House. The explanation which has been given by Ministers is not at all satisfactory; and I ask, therefore, that this matter may be brought up again at half-past seven o'clock in order that in the meantime I may consider what course I shall take in regard to it.

Mr. WHITAKER.—I think, Sir, after your ruling, that this matter can only be disposed of in one way, and at once. If we delay it till half-past seven o'clock, we shall be delaying a great deal of other business. I do not see that any conclusion but one could be come to, and therefore I would propose that the matter should be disposed of at once.

Sir G. GREY.—I presume, Sir, that I have the right of replying before the question is put. I have to say that I believe this to be the most important question which has ever come before the House. I have to point out that the constitution of the Upper House is peculiar, and that, whilst I recognize the benefits which that House has conferred on the public of New Zealand, I think it right that we should preserve our liber-

ties. I think the remarks which have been made in this House make it necessary that I should give some answer. I cannot deny to myself the fact that it is excessively possible in this colony that, in consequence of the course pursued in regard to the appointment of members to the Upper House, the whole of the government of the colony may pass into the hands of a few people. There may be several members of the same family in the Upper House, and in the Lower House too, and the whole Constitution of the colony is imperilled in a way which no other country is liable to. I conceive that, under such circumstances, we cannot be too cautious or too particular in guarding our rights, and in obtaining that protection for the people of New Zealand which they have a right to expect at the hands of their representatives. Similar Bills to this have been allowed to pass by the Ministry, and this convinces me more than ever that there is a reason why we should make a stand on this occasion. The Public Health Bill was hurried through with extraordinary rapidity. I hardly know what time it took to pass it, but I know it was not a long time. I was not in the House myself on that occasion, and I do not know that a single section was read out to this House; but if I had been here, I should have resisted its passage to the utmost. I was here when this Bill was introduced, and I opposed it. The Postmaster-General resisted my opposition. He, as the legal adviser of the Government, gave advice on a point of law which was absolutely wrong. He advised the House to take action which would for ever have destroyed the privileges of the House, if it had adopted it. I therefore feel it my duty to resist the course the Government is now pursuing in regard to this matter, and I do not know that I can do that better than by directing public attention to this subject. Consequently, I consider it my duty to persist in this resolution. The House can of course deal with the resolution as it thinks proper; but even if it is repealed, the decision will be recorded. This Public Works Bill originated in this House, and was sent by this House to the Legislative Council. Everybody knows that the Ministry have had such a majority in this House that they have been able to do as they like. The Bill was never read a second time in this House, and I believe it was never read by a single member of this House. It was formally read a first time, and then sent to the Upper House. I feel it my duty to record my own sentiments on the subject; and notwithstanding the advice which has been tendered to me—which under ordinary circumstances I always most respectfully bow to—I feel it my duty to persist in the resolution, and to ask the House to record its decision upon it.

Mr. WHITAKER.—I merely rise, Sir, to make a personal explanation. The honorable gentleman has stated that I am the legal adviser of the Government, but I am nothing of the sort. I hold at present the position of Postmaster-General.

Sir G. GREY.—I presume, Sir, that I shall have an opportunity of replying to this speech of the honorable gentleman?

Mr. SPEAKER.—I understand that the honorable gentleman is going to confine himself to a personal explanation.

Mr. WHITAKER.—That is my intention, Sir. The honorable gentleman said that I was the legal adviser of the Government, which I deny. He has also said that I have given advice to the House which was altogether wrong. I have only to say that I gave no advice except the advice that the House should be cautious in the matter.

Question put, "That the motion of the honorable member for the Thames be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	34
Majority against...	...	...	...	...	14

AYES.

Mr. Baigent,
Mr. J. C. Brown,
Mr. De Lautour,
Mr. Dignan,
Sir R. Douglas,
Mr. Fisher,
Sir G. Grey,
Mr. Hialop,
Mr. Johnston,
Mr. Joyce,
Mr. Manders,

Mr. Nahe,
Mr. Seaton,
Mr. Sheehan,
Mr. Swanson,
Mr. Takamoana,
Mr. Thomson,
Mr. Tole.

Tellers.

Mr. Barff,
Mr. Rees.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Bunny,
Mr. Burns,
Mr. Button,
Mr. Carrington,
Mr. Gibbs,
Mr. Kennedy,
Captain Kenny,
Mr. Lumsden,
Mr. G. McLean,
Mr. Montgomery,
Mr. Murray,
Mr. Reid,
Mr. Reynolds,

Mr. Richardson,
Mr. Richmond,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Sharp,
Mr. Stafford,
Mr. Stevens,
Mr. Tawiti,
Mr. Taschemaker,
Mr. Wason,
Mr. Whitaker,
Mr. Williams,
Mr. Woolcock.

Tellers.

Mr. Kelly,
Mr. Pyke.

The motion was consequently negatived.

QUALIFICATION OF ELECTORS BILL.

Mr. SHEEHAN said this Bill was introduced for the purpose of removing doubts with regard to the registration of Natives entitled to the electoral franchise. Honorable members had often complained of the special representation which was granted to the Natives, and said that the Natives should register themselves as Europeans did. The law as it now stood prohibited their doing so. The custom in the Native Land Court was to issue the grant to two or more people whose interests were concerned; and in every case where a Native went and claimed to be registered under one of those grants, objection had

been taken that the qualification was not sufficiently defined to entitle him to be upon the roll. In all cases that he knew of, that had been the decision of the Registration Officers. It might be that they were wrong; but, at all events, it was necessary to have a declaratory Act, in order that the doubt might be removed. He understood from the Postmaster-General that it was the intention of the Government to deal with this subject next session; and therefore, as this was the last chance honorable members would have for bringing forward private business, he would ask leave to withdraw the Bill.

Mr. WHITAKER might state that it was the intention of the Government next session to bring in Bills for the purpose of reforming the electoral law, and he would promise the honorable gentleman that this subject would be taken into consideration by the Government. In the meantime, no difficulty would arise from this Bill not passing, because it was not likely that there would be any elections between the present time and next year. He would take care that every consideration was given to the suggestion thrown out in this Bill, and would do all that was reasonable in the case.

MANHOOD SUFFRAGE BILL.

Sir G. GREY, in moving the second reading of this Bill, said that at that late period of the session he would not detain the House with any lengthened remarks upon it. It simply provided,—

"Every man of the age of twenty-one years or upwards, being of sound mind, who has resided within the electoral district for which the vote is to be given for six calendar months next before the last registration of electors for the said district, shall, if duly registered, be entitled to vote at the election of a member or members for the said district for the House of Representatives or Provincial Council."

He need not point out the well-known axiom that every man who contributed to the revenue should be entitled to a vote, and this measure simply took care that that principle should be carried out. It placed all males above twenty-one years of age in the colony nearly on the same footing with persons now holding miners' rights. At the present moment, owing to the necessity to prove qualification to vote, it was exceedingly difficult for many persons who lived at some distance from the place of registration to prove their qualification, and in some places there was no doubt whatever that a large number of electors who were entitled to vote had been struck off the roll in consequence of questions of a most vexatious character being raised with regard to their qualification. In some districts as many as 200 electors had been struck off in that way. The present measure would produce great simplification in all these respects: it would reduce the expense of forming the roll it would save time in making it up, and he was quite certain it would give to the inhabitants of the colony at large a right to which they were entitled. He could go at great length into the present position of the colony as affecting this question, and show

that there was a peculiar necessity now for establishing the system which he advocated. He proposed, however, to do that on another occasion when the question of triennial Parliaments was under discussion. Therefore, as this Bill was one which must commend itself to all honorable members, as the Postmaster-General entirely agreed with him in regard to it, and as he supposed he would consequently have the support of the Government, he would confine himself to moving, That the Bill be read a second time.

Mr. WHITAKER said that he had given considerable attention some years ago to the question of giving the suffrage to every person above twenty-one years who had lived in New Zealand for a certain time, and introduced the subject to the House in the session of 1866. The honorable member for Timaru would recollect that in that year that honorable gentleman came into office, and shortly afterwards asked him (Mr. Whitaker) to postpone this question until next session. He was not in Parliament next session, and consequently could not introduce a measure. He was now speaking for himself, and not on behalf of the Government; and he was not aware what course his colleagues might think right to pursue in relation to the Bill. The Bill which the honorable member had introduced appeared to him to be only a piece of patchwork. The whole question of the revision of the franchise required to be gone into with great care, so that it might be placed on a proper footing. He apprehended that if this Bill were passed as it stood, it would only add to the confusion which already existed. Under the Constitution Act, the franchise was given to the owner of a freehold of the value of £50; to the lessee of a leasehold of the annual value of £10; to a householder occupying a house of the annual value of £10 in a town, and £5 in the country. "The Qualification of Electors Act, 1870," gave the right to vote to holders of miners' rights and business licenses; "The Registration of Electors Act, 1875," gave a franchise to ratepayers; and the Lodgers Franchise Act of the same year gave it to lodgers who had been sole tenants of the same lodgings for twelve months, so that the Bill of the honorable member amounted in reality to little more than to the suffrage at present existing. It appeared to him that in order to do deal with this subject completely, and to put the matter on a proper footing, all those Acts should be repealed, and that the qualification should be extended to this: That every person of the age of twenty-one who had resided in the colony for six months should be entitled to exercise the franchise. He did not propose to argue the matter at any length at the present time. It appeared to him that the whole question must be considered in next session of the Assembly, and that that would be the proper time for doing so. He would undertake that the honorable member for the Thames should then have a fair opportunity of discussing the question, and he quite agreed with the honorable member that it was necessary that something should be done. If the honorable gentleman would withdraw the Bill, he (Mr. Whitaker) would undertake that in next session a

Bill for the purpose of giving the suffrage in the manner proposed by the honorable gentleman should be introduced. As the Bill now stood, it would only confuse matters. It was not probable that any election would take place between the present time and next session, and therefore no serious inconvenience would arise. Rather than there should be any discussion on this Bill at the present time, he thought the honorable member might ask leave to withdraw his Bill, on the understanding that the subject would be dealt with next session.

Mr. BARFF thought no harm could come from the passing of the Bill. He had carefully looked over the measure, and it appeared to him that it contained provisions which already existed on this subject. The 3rd section provided,—

"Every man of the age of twenty-one years or upwards, being of sound mind, who has resided within the electoral district for which the vote is to be given for six calendar months next before the last registration of electors for the said district, shall, if duly registered, be entitled to vote at the election of a member or members for the said district for the House of Representatives or Provincial Council."

That was precisely the law as it stood at the present time. In fact, this provision was rather a restriction than otherwise, inasmuch as any person who was registered, no matter how long he resided in the district, could exercise a vote. There was one special matter he desired to bring under the notice of the Government with regard to the exercise of the franchise; and as the Postmaster-General had given a personal pledge that he would consider the whole subject during the recess, he would ask him and the Government to consider the matter to which he referred. As the law stood at the present time, there was very great difficulty in persons becoming naturalized British subjects. The law was very complicated and very obscure, and was not thoroughly understood even by the persons who were naturalized, much less by those who were being daily imported into the colony under the Immigration and Public Works scheme. It had been the policy of the Government, and of the House and country, to introduce a large number of foreigners; and it should also be the policy of the Government and of the House to see that proper facilities were afforded for allowing those persons to become naturalized, and to take part in the government of the country which they had made their adopted home. At the present time, there was very great delay through foreigners having no proper facilities for becoming naturalized. The work was generally done through an agent, and a fee of a guinea was required to be paid by the applicant. Then the application was sent to His Excellency the Governor, and great delay ensued. It was a serious drawback, and caused many persons to remain foreigners in the State. He thought they should take a leaf out of the book of some other countries in regard to this matter. They should endeavour, in carrying out a colonizing policy, to see that the residents in the colony, who had become permanent colonists, should be afforded every facility to take a part in

the government of the country. In the Dominion of Canada, special facilities were afforded for the naturalization of foreigners; and he thought if the Government would during the recess consider this matter, and take some steps during next session to bring about a change in the direction he had indicated, it would be a very large benefit. He knew that in the district he represented it was considered a very great grievance that no facilities were offered for the naturalization of foreigners. He might say that the electoral rolls were very seriously interfered with through the present state of the law on the subject. He had already pointed out to the House and the Government that at the last Revising Court in Hokitika thirty-one persons were struck off the electoral roll in consequence of their not being naturalized, or rather in consequence of a statement being made that they were not naturalized. Although the objectors did not appear, it was held by the Revising Officer that the objections should be allowed. He hoped the Government during the recess would take some steps in the direction he had indicated. He had intended to introduce a measure this session, and had a Bill drafted, but the time of the session was so taken up in long debates on various subjects that he had not had an opportunity of introducing the Bill.

Mr. WOOLCOCK hoped, after the pledge given by the Postmaster-General, that the honorable member for the Thames would withdraw this Bill. He (Mr. Woolcock) felt strongly on this subject, yet, at the present stage of the session, it was very unlikely that this matter would be so fully discussed and so fairly dealt with as the merits of the case demanded. He was quite satisfied that the extension of the franchise could be made with perfect safety to this country. He believed the general state of education among the people would warrant this House in giving manhood suffrage in New Zealand. He hoped, therefore, that the present Bill would be withdrawn, and that the Postmaster-General would bring in a Bill dealing with the whole question at an early part of next session.

Mr. BARFF would like to hear from the Government whether they would consider the suggestion he had made.

Major ATKINSON said he would be very happy to consider it.

Mr. REES said it would be well to read the Bill a second time, if it went no further this session, and thus indorse the principle of it—whether or not the principle of manhood suffrage proposed in this measure should exist or should not exist. They would thus ascertain the feeling of members of the Assembly; and during the recess the Press of the colony and the people in the different constituencies would be able to give expression to their opinions on this subject. He believed that, as a matter of policy, it was a most important question, and one that ought to be duly considered. The extension of the suffrage would not only do no harm to New Zealand, but it would be of vast use. In a new colony like this, where the people were generally educated, there could be no hesitancy on the

part of any honorable member to assent to a larger extension of the suffrage than at present existed. He hoped, therefore, that the Bill would be read a second time. He did not believe it could be passed this session; but if it were a Government measure, he presumed the passing of the Bill through both Houses could be accomplished. The honorable member for Hokitika was correct in stating that the Bill did not alter the status of persons duly registered. The provision in the clause quoted by the honorable member should be altered, so that all persons being duly registered should be entitled to vote. Even supposing that the Bill went no further than the second reading, it would be wise to read it a second time, and thus recognize a great principle of political economy.

Mr. BRANDON hoped the honorable member for the Thames would withdraw the Bill, as it was too late in the session to discuss the question as it ought to be discussed.

Major ATKINSON said the question involved was, no doubt, one of very considerable importance; but at this stage of the session it would be absolutely impossible to deal properly with it. The whole question of registration required very careful consideration. No doubt the system required a good deal of amendment; but he was not prepared, on behalf of the Government, to pledge himself to the particular Bill in question. In order to relieve honorable members from expressing their views on the matter, he intended to move the previous question. It was a matter which should be dealt with by the Government, and not by a private member. The question of the registration of electors should be dealt with by the Government; and if it was to be done effectively, it must be dealt with as a whole. The honorable member for Hokitika pointed out one matter that required attention; and the Postmaster-General referred to several others which required to be legislated upon. This Bill was simply patchwork, and, if passed, would have to be amended next session. He was sorry the honorable member for the Thames could not see his way to withdraw the Bill, and save further discussion. In order that honorable members should not be pledged for or against the Bill, he would move the previous question.

Mr. SHEEHAN wished, before that question was put, to point out that the argument against passing it on the ground of the lateness of the session was one that could hardly apply. If it did, what would become of the New Zealand Loan Bill, the Waste Lands Administration Bill, and other measures which were fully as important as the subject under consideration? However, he did not doubt that the House would swallow the whole of them in two or three days next week. He entirely objected to the doctrine laid down by the Premier, that the question was one which must necessarily be introduced by the Government. Did the ballot system come from the Government in the Home Parliament? Was it not brought forward year after year by private members, until the Government were compelled to take it up? And had not important reforms been introduced and passed by private members

who had in some instances carried them? In other instances they had been brought before the House year by year, until the Government had been compelled to adopt them. Besides, he thought the private member who brought this Bill forward occupied such a position in the House that he might fairly take action which he (Mr. Sheehan) or other outside members would not attempt. He would suggest that the Government should allow the Bill to be read a second time, and in that case he did not think the honorable member for the Thames would press the motion for committing the Bill this session. The House could accept the second reading as indicating that some reforms were necessary, and that some liberal franchise should be afforded to the people. That would be a peaceful solution of the present difficulty, and one which the Government might gracefully adopt, and allow the House to go to other business.

Mr. FISHER would support the motion for the previous question. If they read the Bill a second time, they would be admitting the principle; and he did not believe in the principle of the Bill. The House was given to understand last session that the electoral machinery would be very much modified, and that the rate-rolls would be taken as the basis on which people should vote. He did not believe in manhood suffrage. The miners now had votes; and he thought that every man who paid rates, whose name was on the ratepayers' roll for any property, however small, should have a right to vote for it; the owner would think as much of it as the owner of a large property would think of his. He did not believe in manhood suffrage, and on that account he would not vote for the second reading of the Bill, for by doing so he would be indorsing the principle.

Mr. REID said, although honorable members were very desirous of bringing the session to a close, they had hardly got to the stage in which they would be prepared to sacrifice their principles and agree to a Bill they did not approve of in order to hasten the end of the session. The argument of the honorable member for Rodney was to this effect: "Just agree to this Bill, and stop all further discussion. Agree to the second reading and affirm the principle." There was a very great principle involved in this Bill, a much greater principle, he thought, than was involved in the Two Million Loan Bill. He was not prepared to take the action suggested by the honorable member for Rodney, for he held very strong opinions upon this subject, opinions which had been formed after long consideration, and they were entirely against this Bill; and it would require a very long argument before he would be prepared to support the second reading with the view to terminate discussion. References had been made to other countries to illustrate what electoral reforms had succeeded, and it was quite right to be guided by that to some extent. He might, he thought, refer to America, for instance, to see the operation and effect of a system of manhood suffrage. He was not yet convinced that it had been an unmixed blessing there. It was a matter that required full con-

sideration before they decided it, and they could not properly decide it in this off-hand way by reading the Bill a second time at the close of the session. If it was right that they should read the Bill a second time, they should carry it through. The proper course, he thought, would be to agree to the previous question. This was a matter far beyond, in constitutional importance, a Bill for borrowing money. Honorable members had pretty well made up their minds in regard to the other Bills, especially the Loan Bill. The Loan Bill was a matter of necessity and could not be obviated; but this was a very different matter, and he for one was not then prepared to enter into a full discussion of it. The arguments of the honorable mover did not appear to be very strong—of course, the honorable member did not go very fully into the arguments; but if one of the principal reasons why they should pass the Bill was that all who contributed to taxation should have a share in the election of representatives, he would ask, why stop at twenty-one years of age? Why should not those of eighteen, nineteen, or twenty years, or seventeen years of age, be included? Why insert the word "manhood" in the title of the Bill? Why not use the word "adult," if there must be a limit as to age, and every one who contributed to the revenue should have a vote? There must be certain defined limits in regard to these matters, and he presumed that was the reason they had not manhood suffrage actually, though practically he believed they had. He did not propose to discuss the question fully at that time, because he thought honorable members were anxious to get the session to a close, and it was too important a subject to take up now. He would say further, in regard to the arguments of the honorable member for Waikato, in which he said he considered this matter in 1866, and he had then intended to bring it before the House, ten years had passed since 1866, and he was not sure that it was not in a better position than it would have been if the honorable gentleman had brought forward his great reforms, especially that in the direction of manhood suffrage. He thought the colony could not complain that since 1866 it had not very materially progressed, and it perhaps had progressed more satisfactorily than if the honorable member's great reforms had been carried into effect.

Mr. REYNOLDS intended to vote for the previous question. For several years he had endeavoured to obtain a reform somewhat similar to that which was proposed in this Bill. However, the Bill did not at all satisfy him. If the honorable member for the Thames had introduced a measure somewhat like that brought forward by the Government last session, it would have met with more sympathy from the House, and would have met his own views. After the assurance of the Postmaster-General that the whole question of the qualification of electors would be taken up by him next session, he thought the House should agree to postpone the matter, so that, when it was dealt with, it might be in a comprehensive manner. He believed no question required more consideration than that of the

qualification of electors, and the electoral laws generally; and he trusted that the Government would during the recess devote their attention to this, so that something like fair representation might be secured to all parts of the colony, and that the end sought by the honorable member for the Thames in this Bill might be obtained.

Mr. TOLE felt bound to say one or two words upon this Bill, because it was not a new question with him. When he was contesting a seat in this House, he brought the question before his constituents, and he made it one of the articles of his political creed. On that occasion, he gave a distinct pledge to support such a Bill as the present to extend the franchise. He thought the fact of this Bill being introduced at the present time was really no argument whatever against it. It was of a very short and simple character, and should be passed through all its stages. He declined to take advantage of "the previous question," because he had given the distinct pledge he had mentioned; and, moreover, he believed it to be one of the most important Bills introduced this session, and would mark a period in the eventful history of this country; for it was designed and calculated to extend liberty to every subject, by enabling every one of the age of twenty-one years, and possessing sufficient rationality, to exercise a very great political right. The occurrences of the two last sessions, and particularly of this session, had tended very much to promote the political education of the people, and to enlighten them upon their political position; but he thought there was nothing that would educate the people more than this present Bill. He believed this Bill, added to the efficacy of the Bill on the Order Paper, to shorten the duration of Parliaments, would build up a people whose intelligence would be a pride to the introducer and supporters of these measures. It, therefore, seemed to him strange that, while they had imitated the vices of other countries and other colonies, they had not imitated their virtues also. They had a debt of some twenty millions sterling, whilst they denied to thousands of people of the age of twenty-one who contributed to the taxes, the right of having a voice in the control of the revenue and expenditure of the country. He found that in the other colonies this question of manhood suffrage had for twenty years more or less been fully established. In Victoria, there had been manhood suffrage since 1855. In New South Wales, subject to conditions of naturalization and residence for two years, every one was enabled to take part in the representation of the people; and this existed as law since 1855 also. In South Australia it had been introduced in 1856, and in Queensland in 1859. Thus substantially for twenty years the extension of the suffrage had been in operation in the neighbouring colonies. Among the elements of qualification in the last-named colony, Queensland, there was the principle that every one who contributed to the taxation of the colony, unless he had undergone some criminal condemnation, was allowed to vote. He did not think that absence of criminal condemnation should be a necessary element before exercising this franchise, because there was an old

maxim known to the law, that no one should be discouraged from reforming. This ingredient of taxation was the great principle which was involved in the whole of this suffrage reform; and it was laid down by most of the greatest writers on the subject that representation should be co-extensive with taxation. It was for this reason that paupers were excluded from the franchise at Home. Pauperism, however, in its strict form, did not exist to any great extent in the colony; and when it arrived at any proportions, it would then be time to consider its disabilities. It might, however, be a question whether uncertificated insolvents and bankrupts should not be excluded from voting. The true type of government which should be aimed at was the government of all by all, and not the government of one class by another. He therefore submitted that, unless a Bill of this sort were made law, there must be a government of one class by another. Moreover, it must be very degrading to the inhabitants of the colony to see one class of the community appealed to for their votes, whilst another—the bone and sinew, as it were, of the colony—was not consulted at all, but, on the contrary, excluded by an obsolete prohibitive qualification. He considered that it was tyrannical that one class should exercise the power of making laws for another, who contributed to the revenue in the levying or expenditure of which they had no voice; who are bound to obey laws in the making of which they had no say; and, further, by which laws they may be compelled, as they had been here, to fight for the preservation of the peace and good government of the colony. And hence he (Mr. Tole) had come to the conclusion, in the words of John Stuart Mill, who had written on this subject, that "No arrangement, therefore, of the suffrage can be permanently satisfactory in which any person or class is peremptorily excluded, and in which the electoral privilege is not open to all persons of full age who desire to obtain it." It had been laid down that education should be one of the tests of the suffrage; but, while that was a theory that was worthy of consideration, he believed that until they had a colonial and gratuitous elementary education, it could not be entertained. For the reasons he had stated, he believed the Bill should now be carried if possible. It was a Bill that would raise the educational standard of the people, and which would enable them to have a voice in the taxation and in the affairs of the country, and to check its Government. The Bill was only in accordance with the rules of true British liberty; and as the precedent had been established in the other colonies, this Assembly could not do better than follow their noble example, and pass the measure introduced by the honorable member for the Thames (Sir George Grey). He would oppose "the previous question," and vote for the second reading of the Bill.

Mr. MANDERS would like to say a few words on this question. He was a working man; but he did not know whether, under the counties arrangements, he would be considered to have any qualification as a voter at all. He did not think he was registered for any property in the

province from which he came, but he held a miner's right. The House might naturally suppose that under these circumstances he would be willing to vote for the Manhood Suffrage Bill. He would, however, support the proposition of the Premier that the previous question be carried. He did not think it desirable that the House should extend the power of voting to a number of persons who lived in lodgings, but who had no real stake in the country. It was always a pleasure to him when he went to apply that his name should be inscribed on the electors' roll. This manhood-suffrage cry was a cry which, as could well be imagined, was fanatical and popular, but he did not know that it was any better for that. He spoke as a working man, and he could say that the working men generally were very anxious to exercise their vote if they had one; but in many cases they had no such vote. He had known working men who were not good for anything, but who cried out that votes should be given to them. The honorable member for the Thames was probably moved by the best motives in bringing this motion forward, but he (Mr. Manders) hoped it would not be passed, because it would not encourage working men to advance and progress. As a working man of the colony, he would oppose the Bill introduced by the honorable member for the Thames, and support the motion of the Premier.

Mr. DE LAUTOUR thought the honorable member for Wakatipu had given an excellent reason why the Bill should be passed. The honorable member had told the House that he had found the working men most anxious to exercise their votes if they had any. What could be a better reason for giving them a vote than that they desired to have one? But he thought it was rather the other way: instead of men rushing to record their votes, the candidates had to rush about to get men to vote for them. If men were found to be anxious to possess a vote, that was the best argument they could urge why they should have votes. He thought the honorable member for Wakatipu had retrograded from those high desires and aspirations which he had held a few weeks previously, when he stated that he desired to follow in the footsteps of John Bright.

Mr. MANDERS was glad the honorable gentleman had given him an opportunity of setting himself right with the House. He had happened to say on the hustings that there was not a John Bright in this Parliament, or they would not require to send him there; but in the newspaper reports the word "not" was left out.

Mr. DE LAUTOUR said that, though the honorable gentleman had reminded the House that he was a working man, he had omitted to remind them that he had said he wished to follow in the steps of John Bright. He hoped the honorable gentleman would not be ashamed of saying that, because every honorable member gave him credit for the expression. But he would remind the honorable gentleman that John Bright would never have risen in his place in the House of Commons to refuse lodgers manhood suffrage. It was not right that persons who lived in lodg-

ings should not be able to aid in the government of the country. He thought that was a disgrace to their legislation. In a young country, where borrowed money was being spent, and where arrangements were being made for borrowing more money, those who lived in lodgings should not be disfranchised. He did not think that honorable gentlemen should be alarmed at being asked to vote for this Bill. The honorable member for Bruce had voted for the Abolition Bill and the Counties Bill, although he did not approve of their principle. The member for Taieri had also supported the Counties Bill, the principle of which he opposed. He was sorry to say that it was a common practice for members to vote for Bills the principles of which they condemned. He thought it was a matter for regret that a question of such large importance was not brought before the House at an earlier stage of the session. It would have been well if the House had had an opportunity of going into the question thoroughly and exhaustively. The honorable member for the Thames would in that case have been able to give conclusive reasons why they should agree with him in the measure which he introduced; but from the unfortunate period at which they had arrived in the session, the honorable gentleman was only able—he thought perhaps he was unjustly underrating the patience of honorable members in such a case as this—he was only able to state a few general outlines in which he (Mr. De Lauteur) could concur. But this was a subject upon which the honorable member's views, expressed at length, would have been of the greatest interest to the House. He was aware, however, that it was not possible that this measure could be fully considered now, and he quite agreed with members who had expressed a willingness not to press the measure beyond the second reading; and, that desire having been expressed, he thought it was decidedly unnecessary for the honorable gentleman at the head of the Government to try to intercept the debate by moving the previous question. He had always been told that, whatever merits or demerits the Vogel Government had, it possessed the merit at any rate that there was one liberal member of it—that the late Secretary for Crown Lands and present Premier was, at any rate, a Liberal in all his views—that he was about the most liberal man in the House. And yet they found that, on the occasion of the introduction of the first liberal measure into the House since he had become Premier, he had not met the question fairly, but had intercepted it, perhaps to avoid taking issue with some of his colleagues. It was not at all satisfactory that such should be the case; and he thought that, honorable members having stated that they did not intend to press the Bill beyond the second reading, the House might very well have been allowed to go to a division upon it. As it was, he did not think the question would be settled this session at all, and it would be more satisfactory for the Bill to be hung up and not followed out than for the question to remain in its present form, as having been attempted to be burked by the Premier. He would support the

Bill if the second reading went to a division, which, however, he did not anticipate.

Mr. W. WOOD said it was too late in the session to admit of much discussion on a question of this sort. The Bill, he thought, should have been brought forward earlier. He was afraid the principle might suffer from the Bill being cast aside on account of the lateness of the session; for when it was brought forward in a future session, the House would be told that it was no use bringing forward this question again, that it had been brought up on a previous session and thrown out, the effect being that it might probably be rejected on that account. There was great likelihood of its being rejected in another ordeal it had to pass through of being sanctioned also by a number of gentlemen not elected by the people, not responsible to the people, and, he ventured to say, not representing the people. He thought it was time they removed legislation as far as possible from being entirely within the grasp of the privileged few. He hoped they would see their way, without waiting long, to make a change in that direction, so that every one who ventured to legislate on matters of great importance to the people would have the people's sanction for so doing. He was a little surprised at the honorable member for Wakatipu. That honorable gentleman, if he remembered right, had no objection whatever to their Maori fellow-colonists being represented on the broadest footing—in fact to their enjoying the rights of manhood suffrage. The Maori people had the principle carried out in their favour; and while the House had seen its way to sanction that principle on its broadest basis in favour of the Maori race, he could not see any just reason for withholding it from the European population. The honorable member for Port Chalmers, who was not in his place, spoke of the Bill being right in principle, and one that he had supported from session to session; but he said he would not do so on this occasion, because there was something in the Bill he did not like. So far as the number of clauses was concerned, the Bill was a very short one, and would not take long to go through Committee. If there was something in its provisions the honorable gentleman did not like, it might be struck out; or if there was something omitted, it could be inserted. Therefore he thought the honorable member's objection was not a valid one. He hoped the honorable member for the Thames would endeavour to carry the second reading of the Bill, and, if he succeeded, to proceed with it through its remaining stages; but, rather than jeopardize the principle, he thought it would be well to consider whether it would be advisable to carry this Bill beyond the second reading, on account of its being so late in the session. He would support the Bill.

Sir G. GREY would say very few words in reply. The franchise existing in the colony was established by himself in the year 1852, and he then drew as liberal a franchise as the state of public opinion in the world would permit of at that time. It was one of the most liberal franchises. Since that period, an extraordinary advance had been made in public opinion; and

what he proposed in this Bill prevailed at the present moment from South Africa, through the entire Pacific Ocean, embracing Australia, but excluding New Zealand; and it had worked well everywhere where it had been tried. No complaint of it had been made in any country, and the principle was universally recognized as a good one. The Bill had been before the House for nearly a month; there could therefore be no objection on that score. Every honorable member had made up his mind on the subject. It was not a new question, and there could be no objection, therefore, on that account. The honorable member for Waikato said this was a piece of patchwork, and at the same time he read out the veriest piece of patchwork in the world, as showing the present state of the franchise. It was impossible to conceive a greater piece of patchwork than what the honorable gentleman read. He (Sir G. Grey) proposed a perfectly simple thing which would replace that patchwork—simple in its details and simple in its principle. Then the honorable member for Waikato said that he would oppose the Bill now because he pledged himself to bring forward a measure next session; but the honorable gentleman forgot that he pledged himself to the honorable member for Timaru (Mr. Stafford) in 1866 to bring forward a measure similar to this one the following session; and yet it had been delayed for ten years. The honorable gentleman thus afforded the strongest argument that could have been used why he (Sir George Grey) should not consent to delay the Bill now. The measure was also objected to because it was said the registration would be interfered with. No such interference was necessary: it simplified the whole system of registration, and rendered perfectly easy what was now the subject of a grievance to the whole colony. Another objection made was that it was too late in the session for the Bill to be carried through. It was not at all too late, as it could be passed through in a few hours. It was a Bill to give every man his rights and nothing more, and not one hour's delay should take place in giving those rights. It was to place any inhabitant of New Zealand on the same footing as the inhabitants of Victoria, New South Wales, Queensland, South Africa, and actually the Sandwich Islands, were at the present moment. The Premier moved the previous question because he would not tell what his own views were, and in fact wished to accommodate the Committee and shelter everybody. He thought that was an improper and not a brave mode of action. The honorable member for Heathcote plainly stated that he would support that course because he was opposed to the principle, and the honorable member for Taieri boldly said the same thing. There was no shirking the question on their part. Moving the previous question was an entire shirking of the subject, and this Bill ought to be instantly carried. As far as he could, he would persist.

Question put, "That the question be now put;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	28
Majority against	...	...	...	...	7

AYES.

Mr. Barff,	Mr. Swanson,
Mr. J. C. Brown,	Mr. Taiaroa,
Mr. Burns,	Mr. Takamoana,
Mr. De Lantour,	Mr. Tawiti,
Mr. Dignan,	Mr. Thomson,
Sir G. Grey,	Mr. Tole,
Mr. Hislop,	Mr. W. Wood,
Mr. Hodgkinson,	Mr. Woolcock,
Mr. Joyce,	<i>Tellers.</i>
Mr. Nahe,	Mr. Rees,
Mr. Bowe,	Mr. Sheehan.

NOES.

Mr. Andrew,	Mr. Pyke,
Major Atkinson,	Mr. Reynolds,
Mr. Baigent,	Mr. Richardson,
Mr. Bowen,	Mr. Rolleston,
Mr. Brandon,	Mr. Seaton,
Mr. Bryce,	Mr. Seymour,
Mr. Button,	Mr. Stevens,
Mr. Carrington,	Mr. Teschemaker,
Mr. Kelly,	Mr. Wason,
Captain Kenny,	Mr. Whitaker,
Mr. Lumsden,	Mr. Williams.
Mr. Manders,	
Mr. G. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Fisher,
Mr. Murray,	Mr. Reid.

The previous question was consequently carried.

PUBLIC WORKS BILL.

The House went into Committee to consider of giving leave to introduce this Bill. Leave was given, the resolution reported to the House, and the Bill read a first time.

Mr. RICHARDSON moved, That the Bill be read a second time. He trusted that under all the circumstances the House would consent to reinstate the Bill in its former position. Any objection to it could be fully discussed during its further progress.

Mr. REES did not think it was right or proper to allow such an important Bill to be read a second time in a House of eighteen or twenty members. There had been a great deal of anxiety on the part of certain members to force a sitting on that day, and now those very honorable members were not present. He did not think it was at all desirable to push the Bill through the second reading. An analogous Bill was brought in early in the session, but it was withdrawn for the purpose of being introduced in another Chamber. There had been a very great amount of delay, for which the Government were responsible, and now they wished to suspend the Standing Orders, so that they might be allowed to rush the Bill through. He objected to that altogether. The Bill was a long and important one; but, apart from that, he failed to see what was to be gained by reading it a second time that evening. Moreover, there was only a bare quorum

of members present, those members who were so anxious to keep the House open on Saturday to transact the business of the country being away enjoying themselves. The Bill repealed about fifty Acts of the General Assembly and over one hundred Provincial Ordinances, and he felt confident that not a single member of the Government could mention the titles of half a dozen of those Acts. To give the House an idea of the number of Acts repealed, he would give the exact numbers. There were forty-two Acts of the General Assembly, nine Acts of the Province of Auckland, five Ordinances of the Province of Taranaki, eight Acts of the Province of Wellington, six Acts of the Province of Hawke's Bay, six Acts and Ordinances of the Province of Nelson, two Acts of the Province of Marlborough, eleven Ordinances of the Province of Canterbury, two Ordinances of the Province of Westland, and nineteen Ordinances of the Provinces of Otago and Southland. There were altogether about 140 Acts repealed by the Bill, and honorable members, without knowing anything of the effect of repealing these Acts, were asked to read it a second time. He did not know whether the Canterbury members had looked through the schedule of Acts repealed.

Mr. WASON.—Yes.

Mr. REES would like the honorable gentleman to name any of them.

Mr. WASON.—We are not in Committee.

Mr. REES.—They were not in Committee. The honorable gentleman said he had read the schedule; and then, when he (Mr. Rees) asked him to name any of the Acts, he answered, "We are not in Committee!" The principles of the Bill ought to be well considered before the House agreed to the second reading; and he would like to know how it could be well considered by members who knew nothing of it. Its effect would be to give the Government enormous power. It imposed all sorts of new penalties, and all sorts of new arrangements, for public works and railways. It provided for taking land for public works, and for giving compensation for those lands; it dealt with surveys, roads, railways, drainage, and water supplies to the gold fields. He did not think the gold fields members had looked through the clauses, or could mention a single provision contained in the Bill.

Mr. WOOLCOCK.—You know nothing about that.

Mr. REES said he had the Act in his hand, and he would challenge the honorable member to mention even the numbers of the clauses relating to the gold fields. This Bill provided for the appointment of all sorts of new officers, making all sorts of salaries and positions in which the public money should be drawn. The Governor might make contracts of enormous value. He supposed it did not matter much to honorable gentlemen, whose districts would not be much affected, but to other places it would make an enormous difference. No explanation was given as to the provisions of the Bill, or of the liabilities which were to be placed upon the several districts by it; yet the Ministry, because it was late in the session, wanted the House to pass the Bill at once. In

relation to the Acts repealed, he would like to point out one or two. There were "The Public Works Land Act, 1864;" "The Provincial Powers Extension Act, 1865;" "The Railway Fences Act, 1865;" "The Compulsory Land Taking Act;" "The Land Clauses Consolidation Act;" "The Railways Act, 1867;" "The Immigration and Public Works, 1870"——

Major ATKINSON said that if the honorable gentleman really wanted more time to consider the Bill, he would at once consent to postpone the second reading until Monday, and would then be prepared to go into Committee, which, he understood, the honorable member would not object to.

Mr. REES said he thought it would be quite right.

Mr. REID thought it was a great pity that the very lucid explanation that the honorable member for Auckland City East had favoured them with had been interrupted. He was sure it would have aided them materially in understanding the provisions of this Bill.

Mr. REES said that before the question was put he would just like to say——

Mr. ORMOND asked, as a point of order, whether the honorable member for Auckland City East had not finished his speech and sat down before the honorable member for Taieri addressed the House.

Mr. SPEAKER said that the honorable member for Auckland City East had been interrupted by the Premier, and consequently had not finished his speech. Therefore he thought the honorable gentleman could now proceed.

Mr. REES would promise to say what he had to say in a few minutes. He would say to the honorable member for Taieri that he had not yet acquired the art of saying one thing and meaning another, and of being able to give up his principles in the endeavour to make the most he could out of them afterwards. Besides, he had some little knowledge of laws, and it did not require any very lengthened study in order to enable him to understand a very simple thing. When honorable gentlemen attempted to be witty, they should really try to understand what the meaning of wit was. As for the interruption of the honorable member for Clive, he could not expect anything better from him. Nobody could expect him to understand the difference between an interruption and a speech. If they had expected anything more from him, they would have been greatly surprised. He would accept the offer of the Premier at once.

Mr. ROLLESTON would like to point out to the honorable member for Auckland City East the position in which he was placing a great many members. This Bill was down for second reading on Friday last, and it was only a technical point that interfered with the second reading. He appealed to the honorable gentleman not to impose on the patience and good-humour of the House, when a number of members were wanting to get through with the business, by raising objections to the second reading of the Bill, which had only been interrupted by a mere technicality. He was sorry to see the Government give way in this matter. He must say the

kindly way in which the Premier met the honorable member did him great credit; but he thought there were other members of the House who deserved consideration. He thought the House could not go on night after night and day after day, having the business obstructed in this manner. He thought honorable members could not regard such conduct as anything but an affront to themselves.

Mr. REES asked if he could reply to the remarks just made.

Mr. SPEAKER said the honorable member could not, as he had already spoken.

Sir G. GREY thought the freedom of debate should not be interfered with. With the tax upon their time he found it absolutely impossible to read these Bills or devote a single instant to them. He never saw this Public Works Bill until Friday last, and he was quite unaware that the honorable member for Auckland City East was going to raise the objections he did. Whilst no honorable member was more strongly impressed than himself with the belief that public business should not be delayed, still he thought they should not be compelled to swallow all-important measures of this kind wholesale in the manner attempted. He thought it was not right that honorable gentlemen struggling to get time to understand measures of the greatest possible importance, should have their intentions misinterpreted. So far as his knowledge went, the honorable member for Auckland City East came down with every desire to promote public business, and the whole of what had taken place had originated—in his firm belief—in the fact that the honorable member could not understand this most important measure. He was most grateful that the Government had given way.

Mr. REID was not going to offer any opposition to the second reading of this Bill on Monday. As far as his limited ability and application went, he was quite prepared to proceed with the consideration of this Bill at once. In fact, he had made a very careful analysis of the Bill, and had a few suggestions to make in regard to it. But owing to the manner in which the business was now being conducted in the House, he, in common, he believed, with many other members, was forced into this position. Seeing that the privileges of honorable members were so much abused by a few honorable gentlemen in this House, rather than raise the slightest discussion or opposition even on points that he thought of great importance, he was content to allow measures to pass through which he would otherwise have questioned and discussed. The honorable member for Auckland City East, with a refinement of feeling characteristic of himself, and which did credit to a gentleman trained to the legal profession, had thought fit to charge him that evening with delivering speeches carefully made in order that he might trim his sails to any side and insure advantage to himself. He could stand an accusation like that coming from a new member, and a member who up to that period had not acquired such a position in the House as to justify him in making any such charge. He (Mr. Reid) was comparatively an old member of the House, and

he put it to those who had known him ever since he had entered Parliament, whether his actions had ever been such as to justify such a charge as that. If he had wished to obtain a position to his own advantage, he might have done so time after time; but as for speaking enigmatically or in an indecisive manner, he thought there was no member in the House who had more openly expressed his opinions than he had. During the present session, his position had been a very unfortunate and painful one to him. His feelings on the most important question had been with a party with whom, owing to their extreme action on many occasions, he could not act; but he endeavoured to act as loyally with them as he possibly could, because they supported generally views which he believed in. He had, therefore, on many occasions, when differing from that party, thought it right rather to walk out of the House than vote against them. And this was the return which he got for subserving his own views on minor questions in order to support the party whose policy on one important point he believed in. The conduct of the leaders and of some of its members had been such as to make him feel disgraced that he had been compelled to work with them in order to carry out a policy which he believed in. The House had been told that these honorable members came there that evening to promote public business; but could any honorable member, who saw the efforts they made to get a count out when the House met at half-past seven o'clock, believe that such was the case? It was an insult to honorable members' common sense to say that their intention was to promote the conduct of public business. He felt convinced himself, from the action taken, that the intention was to defeat the object which members had in coming there that evening. Instead of being allowed to go on with the business, the time of the House was taken up not with fair discussion, not with promoting business, not in fulfilling the legitimate functions of an Opposition, but in pandering to the gratification of the evil dispositions and feelings of some honorable members whose sole object appeared to be to irritate and annoy the Government, and keep members up to all hours of the night, to the neglect of the public business. The session had arrived at that stage when many members were leaving, and the object of the honorable members who were now obstructing business was that the session should come to a close without the most important Bills being passed. He cared little for the opinion of the honorable member for Auckland City East. That honorable member might think he was going to put members down by turning round and sneering at them; but if he attempted to take that course, he would find that there were those in the House who could defend themselves or their actions. And he would find that on every occasion on which he attempted such action with him, he would receive a not very pleasant reply, if indeed it should be thought worth while to reply to him at all. He regretted to say that most of the honorable gentleman's observations were scarcely worth the trouble of replying to.

Sir R. DOUGLAS said that, after the remarks of the honorable member for Taieri, it was hardly necessary for him to say much. There were few members of the House who had more loyally supported the Government this session than he had done, because he thoroughly believed in the policy of Abolition which they were carrying out; but, at this late period of the session, there were now for the first time coming down Bills which most affected the country districts. The session might have been wasted, but that was no fault of his; and what he complained of was that the House should be called upon to sit, night after night, till three o'clock, with a thin House, with few members present—some members of the Opposition, and a few other members who, like himself, felt deeply interested in the questions that were being considered. When such members as he was, who had loyally supported the Government, asked them to delay the business in order that they might consider the measures which most affected their districts, it was hard upon them that the only response they could get was "Question," and that measures on which the whole fate of the country hung, and which were of more importance than any others that had been brought down during the session, should be hurried through with so little consideration. Besides which, the only day in the week on which honorable members had to rest, the only day when they could give their minds and bodies that rest which they required, was denied to them. It was a case of all work and no play. Was it not that which made Jack a dull boy? The mind required rest as well as the body; yet honorable members were forced to come to the House and sit there all that day, and after all nothing had been done. Again, when the evening came, the House was asked to go on with the Government business, though members were tired out through sitting up night after night in hurrying through Bills—the House not listening to the remarks upon those Bills of the honorable members who cared most about them. If one spoke or attempted to make any amendments, he was obliged to sit down by being met with cries of "Question, question." That was not the way to carry on the business of the country. He came to the session to do the business of the country. There was now a Bill being passed with regard to which he might say, that, notwithstanding all his wish to keep the Government in office, he would see them turned out with pleasure rather than assent in any way to passing that measure. It contained a principle to which the country objected; and yet this Bill was attempted to be passed through in the early hours of the morning when members who were anxious to amend it would scarcely be listened to. There was a principle amongst Englishmen which made them hang like bull-dogs to their work, and he was ready to sit there till next year and see the business carried through; but he would insist upon it as far as he could that the House should not sit at improper hours, but at a time when men could weigh every sentence and every word of the measures they were considering. That was the time when important Bills

should be considered, and not when men came there without having had any rest, tired out, and out of temper. Such a course should not be attempted in the Parliament of New Zealand. He felt the course taken by the Government very bitterly. He came there hoping to find that men would act throughout according to their consciences. He had no blame to take to himself on that score, because he supported the Government, as he believed in their measures. But he must say that he thought their conduct now was wrong, and so he would oppose them in the course they were taking.

Mr. SWANSON said that one member of the Opposition had stated that he felt himself disgraced at being associated with his party, while a supporter of the Government was shocked with his friends. He thought the House might put one against the other, and let the matter drop. It was foolish that the House should have been called to meet that evening; but as it had met, they ought to go on with the business. He hoped the proposal of the Premier would be agreed to, and that they would get rid of this Bill for the night, and go on with some other business.

Mr. DE LAUTOUR thought that, when the leaders of the Opposition told honorable members how anxious they were to do their duty to the public, they might remember that there were duties owed by leaders of the Opposition to their followers, and that in obeying those duties they would be serving the interests of the public; because it would be to the interest of the public that men who were loyally supporting the Opposition should not be driven into deserting their party. He did not say that any action, however ill-advised, taken by men who supported the ideas which he held, should make him vote against them, but it would debar him from giving them that loyal support which he would like to give them. There was no occasion whatever for the action taken that evening against the second reading of this Bill. Three months ago he had mastered the provisions of the measure, and had spoken upon it; and if honorable members had not had time in those three months to look into it, he thought they might have devoted to doing so some of the time which was taken up in mere disputes. If the honorable member for Auckland City East had not wanted to go to the Institute that evening, the House would not have been brought to the position in which it was. He wished the leaders of the Opposition would remember that they had duties to those who had supported them, and that they would give way.

Mr. W. WOOD, as a member of the Opposition, wished to acknowledge the compliment paid to it by the honorable member for Taieri, who spoke of himself as a member of that party, and also by the honorable member for Mount Ida, whom he likewise recognized as a member of the party. He would, however, remind those honorable members of the old saying, that it was best to "wash one's dirty linen at home."

Mr. REES would like to make a personal explanation with regard to what had fallen from the honorable member for Mount Ida. He had de-

clined to go to a cricket match that day, in order to attend the House; and although he had been invited to the Institute that evening, he had declined the invitation in order to attend in his place in the House. The honorable member would therefore own that that was not the object he had in view in taking the course he had taken in relation to this measure. He came into the House, and found that the Bill was about to be read a second time at once. He remonstrated partly on account of the thin state of the House, and chiefly because of the enormous number of Acts which the Bill repealed, and which made it necessary for honorable members to consider it very carefully.

Mr. BARFF entirely agreed with the proposition that the second reading of this Bill should be made an order of the day for Monday. At the same time he personally would have no objection to taking the second reading that evening. He also maintained that every member of the House who wished to address himself to an important question should have full liberty to do so, so long as he confined himself to the question. There were several remarks which he felt it necessary to make in regard to this Bill, but he did not intend to make those remarks now, and would reserve them for a future occasion. He made this explanation simply that the House should know that he was not obstructing the second reading of the Bill. He was perfectly prepared to go on with it. Considering that this House has taken the unusual course of meeting on Saturday, and that members were evidently suffering from a certain amount of irritation, judging from the peculiar remarks made when any honorable member rose to speak, it was a bad time to take a discussion on a large question like this. For his own part he was perfectly prepared to go on with the Bill.

Mr. SHEEHAN said that, while it was only right that the honorable member for Taieri should defend himself as he had done, the position taken up by the honorable gentleman and other speakers on this matter was not justified. Those honorable members talked about the Opposition obstructing the business. They might as well accuse the Opposition for having caused the death of the late Agent-General, for the crisis which took place upon the appointment of the new Agent-General, which resulted in the Government going out and a new Government coming in—for a new Counties Bill being introduced, in fresh estimates being submitted, and for all the principal measures of the Government being withdrawn and remodelled. That was the cause of the delay. He would say at once, openly, that he had not occupied much of the time of the House in speaking. He had not spoken a dozen words except from a conviction that he was entitled to discuss the question upon which he spoke, and he endeavoured not to take up the time of the House unnecessarily. While he admitted that they might prolong their speeches to an extreme length, it was possible to have a tyranny that would put down all freedom of speech. It had become the practice, when a member got up to speak, to be met with loud

cries of "Question," from gentlemen lying half-asleep on the benches. Less harm would accrue from excessive talking than from allowing matters to go without discussion or comment. He would be glad to see the Bill postponed until they had had time to consider its provisions.

Sir G. GREY said remarks had been made about the effort used to get a House made this evening. It had been stated that that was absolutely a proof of the desire on his part to interrupt the public business. Although he had been unwilling that this should be made a sitting day, he was in his place when prayers were read in order to carry on the public business. When the House met this evening he was in his place to help to carry on the public business. There was hardly a member of the Government present—only one or two.

Mr. BOWEN.—There were three.

Sir G. GREY.—That was a great number certainly considering the number of Ministers. The House was almost absolutely empty. He did feel that it was unjust to compel him and his friends to come here to make a House to carry on the public business, and that the Government and their supporters should be absent from the House. His object was that the business of the country should be discussed in a full and fair House. He contended that he had done his duty to the House and the country, and to Ministers themselves, in forcing them to come into their places in the House and attend to the business of Parliament. That was his sole object. He and his friends were the first members to come into the House, anxious to carry on the public business. They had done their duty in insisting that a House should be made to deal with the great questions that had to come before it.

The second reading of the Bill was made an Order of the day for next sitting day.

FINANCIAL ARRANGEMENTS BILL.

This Bill was further considered in Committee.

Clause 85.—Governor may retain services of any provincial officer.

Sir G. GREY moved, That the following words be added after the word province: "not being a member of the General Assembly."

Question put, "That the words proposed to be inserted be there inserted," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	23
Majority against...	...	...	...	...	2

AYES.

Mr. Baigent,	Mr. Montgomery,
Mr. Barff,	Mr. Murray,
Mr. Bryce,	Mr. Reid,
Mr. De Lantour,	Mr. Swanson,
Mr. Dignan,	Mr. Takamoana,
Sir B. Douglas,	Mr. Tawiti,
Mr. Fisher,	Mr. Williams,
Sir G. Grey,	Mr. W. Wood.
Mr. Johnston,	<i>Tellers.</i>
Mr. Joyce,	Mr. Rees,
Mr. Larnach,	Mr. Tole.

NOES.

Major Atkinson,	Mr. G. McLean,
Mr. Bowen,	Mr. Ormond,
Mr. Brandon,	Mr. Richardson,
Mr. Carrington,	Mr. Rolleston,
Mr. Curtis,	Mr. Rowe,
Mr. Fitzroy,	Mr. Stevens,
Mr. Gibbe,	Mr. Techemaker,
Mr. Hislop,	Mr. Wason,
Mr. Hursthouse,	Mr. Whitaker.
Mr. Kennedy,	<i>Tellers.</i>
Captain Kenny,	Mr. Kelly,
Mr. Lumaden,	Mr. Pyke.

The amendment was consequently negatived.

Clause 86.—"Disqualification Act, 1870," not to apply.

Question put, "That the clause, as amended, stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	33
Noes	...	...	...	...	16
Majority for	...	...	...	...	17

AYES.

Mr. Andrew,	Mr. Montgomery,
Major Atkinson,	Mr. Murray,
Mr. Bowen,	Mr. Ormond,
Mr. Bryce,	Mr. Reid,
Mr. Button,	Mr. Reynolds,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Rolleston,
Mr. Fitzroy,	Mr. Rowe,
Mr. Gibbe,	Mr. Stevens,
Mr. Hislop,	Mr. Tawiti,
Mr. Hursthouse,	Mr. Techemaker,
Mr. Johnston,	Mr. Wason,
Mr. Kennedy,	Mr. Whitaker,
Captain Kenny,	Mr. Woolcock.
Mr. Larnach,	<i>Tellers.</i>
Mr. Lumaden,	Mr. Kelly,
Mr. G. McLean,	Mr. Pyke.

NOES.

Mr. Baigent,	Mr. Swanson,
Mr. Barff,	Mr. Tairora,
Mr. Dignan,	Mr. Takamoana,
Sir B. Douglas,	Mr. Williams,
Mr. Fisher,	Mr. W. Wood.
Sir G. Grey,	<i>Tellers.</i>
Mr. Joyce,	Mr. Brandon,
Mr. Nahe,	Mr. Tole.
Mr. Rees,	

The clause was consequently agreed to.

Bill reported with amendments, which were ordered to be considered on Monday.

The House adjourned at eleven o'clock p.m.

LEGISLATIVE COUNCIL.

Monday, 23rd October, 1876.

First Reading—Second Reading—Third Readings—Bill
Discharged—Botanic Garden Leasing Bill—Wellington
Loans Bill—Castlepoint Harbour Board Bill—
Riverton Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Wellington Hospital and College Reserves Bill.

SECOND READING.

The Waitahuna Athenaeum Bill.

THIRD READINGS.

The Waitahuna Athenaeum Bill, the Wanganui Harbour Board Bill, the Napier Harbour Board Bill, the Otago Harbour Board Bill.

BILL DISCHARGED.

The Lake Forryth Native Reserves Bill.

BOTANIC GARDEN LEASING BILL.

The Hon. Mr. MANTELL, in moving the second reading of this Bill, said he had explained its object so fully on the occasion of its introduction that he need not detain the Council long now. He had only to call the attention of the Council to one or two points. One was that whereas, when he introduced the Bill, it contained provisions to enable the Botanic Garden Board to sell as well as lease any portions of the Gardens, it did not now propose to enable the Board to sell. His object for giving so wide a scope to the title of the Bill which he obtained leave to introduce was simply in order that the Botanic Garden Board, which was then about to meet, might have full range to suggest to the Legislature whatever steps it might think necessary to propose. The Board did not desire any power to sell. There was another point: In the third line of the 2nd clause of the Bill there was a clerical error, which was owing to a fault of his own, he having misunderstood the wishes of the Board, and thereby caused thirty to be inserted instead of twenty acres. The whole area of the Gardens, as he mentioned before, was eighty acres. Although, if this Bill passed, the Board would have power to lease twenty acres, he scarcely thought it likely that twenty acres could be selected from the Gardens which would let, still less did he think there were twenty acres which could be let without detriment to the general arrangement of the Gardens. However, it was better, in a case of this sort, to give sufficient scope. The Council might be perfectly satisfied that the Board of Governors had no object in view but the maintenance of the Botanic Garden in its most efficient state, and therefore it need have no fear as to the exercise of the powers vested in that body, whose only desire was for the welfare of these Gardens, and for their utility to the public. It was one of those cases in which the Council need not hesitate as to the amount of

power to be conferred on a Board presided over by the Governor himself, who took an active and personal interest in the matter, and consisting, with probably a solitary exception—namely, himself—of gentlemen who took an active and intelligent interest in the matters committed to their charge. The clauses of the Bill were very short, and of a practical kind. They would be better analyzed by legal members, and to those honorable gentlemen he submitted the Bill.

* The Hon. Dr. POLLEN had no objection to the second reading of the Bill, but the honorable gentleman who had charge of it would possibly be able to give them information which perhaps he (Dr. Pollen) ought to have obtained otherwise, as to whether this proposed dealing with a portion of the land was a part of the policy of the Board of Governors generally, or whether the necessity for resorting to this method of getting an income had been forced upon the Board by the recent action of withdrawing the vote which had been hitherto annually granted for maintaining the Gardens. To his knowledge, that vote had in past years been subjected to many assaults and escaped some dangers, and he was not without hope that even in the present case it might survive. In that case, he assumed that the power which was proposed to be granted by this Bill would not be necessary. Without offering any opposition to the second reading of the Bill, he desired that the Council might have the information he alluded to.

* The Hon. Mr. J. JOHNSTON said it appeared to him that this Bill came before the Council accompanied with very little information. He did not know whether it applied to the Botanic Gardens in Wellington, or other gardens, as it bore no particular name. He supposed, however, that it referred to the Wellington Gardens. He did not know the extent of these Gardens; but, whatever their area might be, it was proposed to let thirty acres for the long period of forty-two years. Before he gave his consent to such a proposal, he would like to have more information than was before the Council; and he thought it would be desirable to defer the second reading of the Bill until next day, so that honorable members might have time to consider the information on the subject which the honorable mover might give the Council in his reply.

The Hon. Mr. MANTELL said that, on the introduction of the Bill, the Garden was styled the "Colonial Botanic Garden," as it was in fact: there was but one colonial Garden, and that was situated at Wellington. The Bill itself, referring to the Board of Governors of the Colonial Botanic Garden, necessarily fixed the garden to be the Botanic Garden at Wellington; but inasmuch as in all previous legislation on the subject it had been spoken of simply as the Botanic Garden, the draftsman of the Bill had thought it necessary to adopt that title. There was but one Botanic Garden in the colony which was controlled by a body of Governors. It had probably escaped the Hon. Mr. Johnston that he had named the area at eighty acres. There was an additional area of ten acres which was enclosed for convenience in order to prevent it becoming a nuisance, and,

which was really vested in the trustees of two cemeteries, who had consented to the Governors of the Botanic Garden taking charge of it and planting it, pending the ulterior use that might be made of it. It was possible, if the Colonial Secretary in two or three years could see his way to bring into operation the Act which was passed two sessions ago, enabling the Governor to close intramural cemeteries, that these portions of the cemeteries might merge into the Botanic Gardens. He hoped, after this explanation, that the Hon. Mr. Johnston would not think it necessary to press for the postponement of the second reading of the Bill. In reply to the question of the Colonial Secretary as to whether it was in carrying out the policy of the Board of Governors that they applied for this power to lease portions of the Gardens, or whether it was a course forced upon them by necessity, he must say that it was a little of both. He thought the Governors had always been of opinion that there were here and there odd corners which might with advantage be let, as tending in some small measure to relieve the charges on their funds—that was when they had funds; at present they had £1 17s. 4d. in hand, and four months' bills to pay—because it was an advantage to have a private fence, instead of a public fence, all round a public reserve of this kind. Trusting to the usual annual vote, and considering that they would be guilty of impertinence to the Legislature if they supposed it would not be voted, the ordinary little liabilities had been incurred, and would have to be met in some way or another. He did not think any large addition to the income of the Board would arise from the source referred to in the Bill; but it was just as well the Governors should have it in their power to see what could be raised in this way, in order that they might consider, before another session of the General Assembly, whether or not it would be their duty to represent to the Parliament the necessity for making a larger provision for the maintenance of so useful a public institution, or of suffering it to fall into abeyance altogether. He might say, that if the latter course were taken, it would be looked upon with regret by scientific men in all parts of the world. The Wellington Botanic Gardens, owing to the distinguished labours of its chief, Dr. Hector, were well known and regarded as a valuable institution throughout the colony. Another point he might mention, in order to disarm the adverse criticisms of any honorable gentlemen who had the good fortune not to live in Wellington, was this: that scientific men had arrived at the conclusion that there was a peculiarity in the temperature and climate of Wellington which made it that point in New Zealand where there was the greatest prospect of raising the widest range of plants, climatically speaking; and on that account, even if the seat of Government were not at Wellington, in the opinion of those gentlemen it would be better that the Colonial Botanic Garden—if such an institution was to be maintained by the Government—should be at this spot. The whole expenditure on the Garden since it had been founded did not amount to a single year's Government expenditure upon the Gardens of

Melbourne, Sydney, Adelaide, or Queensland. The contributions from public funds towards the Garden during the whole time had been £1,800; and the rest of the expenditure, £3,017, had been met partly from an accumulated fund of £460 invested by the Hon. Mr. Stokes and others in a bank and appropriated by statute, partly by votes of the Provincial Council, and partly by donations from the Wellington Philosophical Society. His own opinion was that three times the vote which had usually been given to the Botanic Garden might very well be expended there, and with much increased advantage to the public.

Bill read a second time, considered in Committee, reported without amendment, and read a third time.

WELLINGTON LOANS BILL.

* The Hon. Mr. PHARAZYN, in moving the second reading of this Bill, said he had a very simple duty to perform. He could assure honorable members that the word "harbour" did not once occur in the Bill, and he therefore hoped it would not be confounded with any of the Bills which had been under their notice the previous week. This Bill was introduced for the purpose of consolidating the numerous loans authorized to be raised under Acts of this Legislature, but which the Corporation had not yet succeeded in raising. He was given to understand by the Manager of the Bank of New Zealand that, in order to negotiate a loan in London, it must be of a certain amount: that was, they might negotiate a loan of £200,000, when they could not negotiate a loan of £100,000. He could easily understand that, because by the rules of the Stock Exchange any loan under a certain amount could not be quoted, and therefore would not be marketable. For instance, the Turkish Loan was a marketable loan, because it amounted to many millions, and was quoted on the Stock Exchange; but the public had had to pay pretty dearly for it. He believed the effect of the Turkish and other loans on the investing part of the English community had been to produce a thirst after colonial loans. He could assure the Council that this was really a very innocent little Bill. Although it was a borrowing Bill, there was nothing in it to frighten anybody. He was not at all in favour of borrowing; but he could conscientiously say that, if he had the means, he would be willing to pay the money out of his own pocket for the purpose of carrying out the purposes of this Bill. He would go over the items referred to in the Bill, and members could then judge for themselves. The total amount of the loan sought to be negotiated was £200,000, but the Corporation only required £100,000 during the current year. The first item that appeared in the schedule was the wharf loan. No doubt the Council was aware that £20,000 was the amount of the purchase money for the wharf. That money was raised by debentures, bearing 7½ per cent. Those debentures would fall due in less than two years, and consequently they would be soon paid off, as it was the interest of the Corporation, of course, to pay them off as soon as they became due. The next item was re-

claimed land. That was not the land now being reclaimed, but the reclaimed and on which the Custom House and other buildings were erected. £31,000 was the amount that the Corporation agreed to pay to the province, and that debt had been transferred as due from the Corporation to the General Government. That sum bore 5 per cent. interest, and there was a sinking fund. Therefore this portion of the money, although included in this loan, would not be required. Then came the waterworks. This loan had already been sanctioned by the Legislature, but the money had never been raised. The Bank of New Zealand had advanced £40,000, for which they held the security of £50,000 of debentures. That money, he was sorry to say, was bearing interest at the rate of 8 per cent. until they could negotiate this loan. The next item had already been sanctioned by the Legislature—that was a drainage loan. He need hardly call the attention of the Council to the necessity for this loan. He was sure his honorable friend Colonel Brett had had experience of the bad odours in Wellington, and he was only surprised that the honorable gentleman's health kept up as well as it did. Perhaps for his sake and the sake of honorable gentlemen generally, the Corporation were very anxious to carry out this work. They proposed, in addition, a great extension of waterworks, the plans for which were on the table, and which were highly approved of by Mr. Blackett. The last item was wharf extension, in connection with which there were plans laid on the table. It would take £18,000 to carry out these plans. As honorable members were aware, there was a great necessity for increased wharf accommodation. Some doubt might arise in the minds of honorable gentlemen, in consequence of what had been said by the Hon. Dr. Grace, in relation to the revenue derived from the wharf. That honorable gentleman had said that the Corporation should not have spent the large revenue derived from the wharf upon general purposes, but should have spent it on the wharf. Unfortunately, the terms of the sale provided that all surplus revenue from the wharf should become general revenue of the Corporation. He believed it was a very great mistake that such a clause should have been inserted in the contract. The aggregate amount was £200,000. In looking over the Bill, he saw it would be necessary to make several amendments in Committee. For instance, the rate of 7 per cent., mentioned in the Bill, was a very high rate of interest at which to borrow money. To say that the money should be borrowed at a rate of interest not exceeding 7 per cent. would be a temptation to London capitalists not to offer their money at less than 7 per cent. He thought it would be better to reduce it to 6 per cent. The Napier loan was a case in point. In the Napier loan 7 per cent. was named, and the amount was taken up at that rate with great readiness. He did not know what effect their legislation in the Municipal Corporations Act would have upon the special rating clause in this Bill; but it appeared to him that, if the ratepayers were to be consulted before money could be borrowed for drainage, it would be a

very long time before they could have any drainage at all. This Bill gave power to raise a special rate to pay off a certain amount. He had nothing further to advance in support of this Bill, and he hoped it would receive the favourable consideration of the Council. He was happy to say that he appeared in the Council with a whole skin. He was told that he dared not go down the beach in consequence of his action in reference to the Wellington Harbour Board Bill. He found, however, that he could go about with perfect safety; and he thought Wellington would have reason to be thankful to the Council for their action in reference to the Harbour Bill.

* The Hon. Colonel WHITMORE had great pleasure in supporting this proposal, because he thought there was a certain difference, which honorable gentlemen must recognize, between this Bill and a great many other measures which had been before them. This branch of the Legislature exercised a very useful and important function in delaying hasty and ill-considered legislation, especially in matters where the colonial credit was concerned. He thought it was incumbent on them to proceed with the greatest caution when Bills of this sort were brought before them: and he thought they could say conscientiously, that they always gave such Bills the greatest consideration. But they would lose their influence in the country, and would fail to be supported by the opinion of right-thinking people in the country, if they offered to every proposal of this kind a stone-wall opposition and stupid resistance. There were loans and loans—loans which were urgent, and loans which might be deferred for further inquiry and consideration. He conceived this to be a case in which great urgency existed. He had never been one of those who had it upon their consciences that they yielded to the spirit of the age in advocating wholesale borrowing for speculative enterprises. As far as he could recollect, honorable members would not find his name recorded in a single case of reckless and ill-considered borrowing in that Council; and he took this earliest opportunity in the debate to say that, having given the subject considerable attention, and having informed himself as well as he possibly could as to the nature of the proposal, he could conscientiously vote for this Bill. The several items in the preamble had been before him, and he had carefully considered and gone through all the information in the papers on the table, and had satisfied himself that they had been considered with care and had been scientifically worked out. As far as all that information went, he thought he might fairly say that this Bill was of such a character that it would be a discredit to them to refuse to pass it. The sum asked for was considerable; but when it was considered that it only included £49,000 of new money, the only thing that astonished him was that, with the example of the City of Dunedin before them, the Corporation of Wellington should be contented with so small a sum. In fact, he would consider it wise if they proposed to raise the sum of £250,000; for with that sum he believed they would be able to undertake satis-

factory drainage works, which he did not think the sum asked would be sufficient to effect. Honorable members must consider what the drainage of this city meant. It had never been drained in a scientific manner, and the newly reclaimed land would be exceedingly difficult and expensive to drain in a thoroughly satisfactory manner. A very high pressure of water would be required to flush the drains; and to obtain a high pressure very considerable works must be undertaken—works to which a great deal of scientific knowledge must be applied. The plans now on the table went into the minutest details on this point. The question of sewerage and drainage had not been so explained, and he could readily conceive why. That was a subject which could not be settled in the off-hand manner in which they settled the railways of the colony, which he must say he considered to be a discredit to the Legislature of New Zealand. He respected the promoters of this Bill for not drawing a pink line across the streets, and telling them that that was to be the drain. Their own common sense must tell them that that was not the way to effect that project satisfactorily. On the question of water supply, the Corporation had given every possible information, and also with regard to wharf extension. He believed they could not elongate the present wharf, because they were prevented by the Public Works Department; and they had therefore adopted the alternative of widening the T's, which he presumed was all they could do with the permission of the Government to give further wharf accommodation. He believed it was intended to make the T's broader, so that a great deal more traffic could be taken over them. He would say nothing about the necessity for drainage, as every honorable gentleman must be convinced of that; but he wished to allude to what the honorable gentleman said with reference to the Napier loan. He hoped, however, he would never advocate any measure for the benefit of a particular locality in which he had an interest that did not likewise benefit the whole colony. The Napier loan, he was sorry to say, did not float satisfactorily, as the honorable gentleman had said. In fact, he was assured that only a very few thousand pounds were applied for. Had it not been for the intervention of the bank who acted as agents, the loan would not have been floated at all. He thought he would not be far wrong in saying that a sum under £1,000 was all that was applied for. Therefore he did not think that 7 per cent. was a temptation in the English market. He arrived at the same conclusion as the Hon. Mr. Pharazyn, but by a totally different course of reasoning. He thought high interest meant bad security; and when they went upon the London market, and offered 7, 8, or 10 per cent., they did not in any way render it more probable that their loan would be accepted easily in England. When he was in England, the Auckland loan of £100,000 was floated at 6 per cent.; and in that case, although the rate of interest was only 6 per cent., a good deal more than the amount was applied for, and a *pro rata* allowance made to applicants. He thought that the fact of fixing

6 per cent. to a loan to be placed on the London market would render it more likely to be subscribed for than if 7 per cent. were offered. If the balance were devoted to a sinking fund, it would be more satisfactory. In one clause in the Bill, he thought the 13th, there was provision for a special rate to pay off the capital. The City of Wellington should proceed on one of two principles: either they should make a sinking fund for their loan, or they should arrange to pay it off, as proposed, by special rate. It ought not to be optional, and this provision regarding the special rate, should, if it was to form a sinking fund, be made imperative, and the word "shall" substituted for "may." He had risen, perhaps, rather early in the debate; but as he had on many occasions lately found it his duty to oppose applications to borrow money and to take from the national wealth, in the shape of endowments of land, for reasons which were not always against the principle of doing those things, but against the period and against the way in which they were brought up, he desired to show that he had no wish to oppose a really well-considered scheme coming before them as this did, in a case where there was really great urgency and necessity, and where honorable gentlemen, if they looked into the question, would find that no other course than the one proposed would meet the requirements of the case.

* The Hon. Captain FRASER thought the mistake the Corporation had made was in not applying for a much larger sum. It would require nearly the whole of the amount they proposed to borrow merely to initiate a proper system of drainage. A gentleman who came over from Melbourne with him, Mr. Gordon, a hydraulic engineer of very great eminence, who had been for a long time in India, and also in Holland, told him that to introduce a proper system of drainage in Dunedin would cost upwards of half a million of money; and here in Wellington it would be necessary to have a barrel drain from the Railway Station to the other end of Te Aro Flat. Otherwise, if the drains were run out open into high water, the whole of the gases would be driven into the houses at high tide, and the City of Wellington would be much worse than it was at present. He thought it would be a great mistake to fix the rate of interest on the loan at 7 per cent. He was sure it would move off quicker, and realize more, at 6 per cent. than at 7 per cent. He, too, was in London when the Auckland loan was raised. Several capitalists there came to him, and asked what the security was. He told them that it was equal to a first mortgage upon property amounting to millions; and that was the real state of the case, because the security was the rates upon property worth millions. A loan for £400,000 would float in the London market as easily as one for £200,000, particularly if it were at 6 per cent. His honorable friend Mr. Pharazyn said the Corporation were going to undertake this drainage work to protect the lives of honorable members; but he thought the Wellington people would like to see his honorable friend, and also the Hon. Mr. Stokes and himself, moved off altogether, judging by the accounts they

saw in the papers. But in the interests of the children in Wellington, and of the delicate people here, he was quite sure there was not a single member of the Council who would refuse to sanction this loan to insure drainage.

* The Hon. Mr. HOLMES thought there was very little difference of opinion on this subject. There was no doubt that the wharf required to be extended. Ship captains all declared that the accommodation was not at all adequate. There was one point in connection with this matter to which attention required to be directed, and that was as regarded the rates charged in the port of Wellington on shipping. A colony like New Zealand, which was likely to become a great maritime country, with such an immense seaboard and so many ports, should be allowed every facility for shipping, and that branch of trade should be encouraged, not only by making the charges light, but by fixing them so that they would not operate as a deterrent. He had been told that morning, by a ship-owner whose vessels frequented this port, that it was the dearest port in New Zealand; and why it should be so he (Mr. Holmes) could not understand, because there was not a port in New Zealand which could be so easily made available for the accommodation of shipping. For example, the full rate was charged when goods were transhipped. In every other port a large allowance was made. With regard to the rate of interest on the proposed loan, the Hon. Colonel Whitmore had quoted the Duke of Wellington's famous saying, that a high rate of interest meant bad security. That was well exemplified in the case of the first Otago Loan. After Otago became a province its Government thought they would go in for very considerable borrowing, and the amount they resolved to raise was £20,000. As there was no chance at that time of getting so much money in the colony, they sent the loan to London; and, looking at it from their point of view, they thought nobody but a large financial house could advance so much money, and it was submitted to Barings, who entertained it. But when they heard that the interest was 10 per cent. they said, "Oh no. If it had been 5 per cent. we would have taken it up; but as it is 10 per cent., we will have nothing to do with it." That would show the prejudice there was in the London market against high rates of interest. Unless parties had a thorough knowledge of the country and of the security, they would not entertain a loan with a high rate of interest, because they naturally judged that, if the security was good, there was no necessity for giving much above a certain rate: $\frac{1}{4}$ or 1 per cent. above the ordinary rate of first-class security should float any loan of this description. He would have much pleasure in assisting to pass this Bill. It was very much required, and more especially on account of the drainage.

The Hon. Colonel KENNY said the objects of this Bill, as well as the propriety of it and its ultimate good results, might be very apparent to some honorable gentlemen, and much more so to the Hon. Colonel Whitmore and other honorable gentlemen who had spoken in favour of it than

they were to him. The Bill appeared to him to be objectionable on account of the many subjects with which it dealt. The appeal which had been made to the Council respecting the necessity for drainage in Wellington was quite out of place. It was so in this sense: Nothing could be more necessary or more urgent, and yet it appeared on the face of this Bill that in 1873 the Parliament authorized the Corporation to raise £50,000 for the purposes of drainage, and that for three years nothing whatever had been done; and now, after such a long time had elapsed, without any steps having been taken, in a Bill in which drainage was mixed up with a variety of other subjects, the Council was called upon to authorize a further loan for that purpose, when no cause had been shown why the Corporation of Wellington had not provided any drainage or sewerage, or promoted any of the objects for which the £50,000 was authorized to be raised in 1873. That was one reason why he objected to this Bill; and he objected to this subject being mixed up with a variety of others. Let honorable members see what had been done with regard to drainage in the case of Christchurch. If his recollection was correct, last year a sum of money was authorized to be raised by the City of Christchurch for the purpose of drainage, and he believed that the drainage works were now in operation there, and had been for some time past. He would be the last person in the world to object to a distinct and separate Bill being introduced on behalf of Wellington for the purpose of draining the city; but he thought the proposal had now been submitted to the Council in an objectionable manner. The Hon. Colonel Whitmore might have scientifically examined the question and informed himself thoroughly upon it, and become the exponent for others; but he (Colonel Kenny) did not see why in a consolidating Bill like this should have been included the specific question of the drainage of Wellington, for which £50,000 had previously been authorized to be raised. A separate Bill ought to have been brought in, and, if necessary, a larger sum named. He would absent himself from the Council rather than vote against the Bill, because it involved so essential a work as the drainage of Wellington, which of course was of paramount importance. He thought it was an objectionable Bill, but he would take no part in opposing it, because the drainage was very necessary.

The Hon. Mr. HART said he would be able to remove the objection of the honorable gentleman who spoke last, if he would wait to hear the explanation, which was to this effect: that £200,000 could be borrowed on the London market, or £100,000 out of the £200,000 could be there borrowed, when £50,000 could not be raised. An endeavour had been made to float the loan of £50,000 which was authorized three years ago on the London market without success, on account of the amount; but the city, being unable to wait any longer, had borrowed £40,000 from their bankers upon the security of the debentures authorized to be issued by that loan, with which money they had constructed the water-works at present in use in the city. The object

of including the loan for waterworks with the loan for the drainage was to be able to float the loan in the London market, and to enable the sum to be raised at the best rate of interest. The Corporation had acted wisely in not settling about the drainage of the city until they had a reasonable certainty of being able to raise the money they wanted for it. Every one who understood anything of the difficulty of drainage works would be inclined to agree with that.

* The Hon. Mr. HALL said he had intended to say a word or two in support of this Bill, but such an entire change seemed to have come over the spirit of the dreams of honorable members that any remarks from him in favour of the measure would be a work of supererogation. In fact, he did not know that he was sitting in the same Chamber as yesterday. Certainly the counsels were entirely different. Some honorable members seemed now as anxious to encourage borrowing as they were formerly to discourage it. He would therefore confine himself to drawing the attention of the honorable gentleman in charge of the Bill to one or two points upon which he thought further information should be given. What he would like to have clearly understood was whether the various purposes for which the money was borrowed, and the expenditure on account of them, would be kept separate—whether there would be distinct and separate accounts. For instance, was the money that would be expended on the wharf to be kept separate, and was the revenue henceforward to be kept separate and applied to the improvement of the wharf? He did not see any provision of that sort in the Bill, and it was desirable that the Council should understand what course was proposed to be pursued in that respect. Also, would the honorable gentleman object to consider whether it would not be desirable in this case to make it obligatory that a moderate sinking fund should be provided for all these loans? He observed by the Bill that it was optional to create a sinking fund. But when they were borrowing money for works which in a great many instances were of a perishable character, he thought it was fair and reasonable that a moderate sinking fund should be set apart. These were points upon which he did not ask for any immediate answer, but thought it as well to suggest them to the honorable member at once.

* The Hon. Mr. STOKES said it was a pity that the honorable and gallant gentleman who thought the Bill so objectionable should have left his seat before the discussion closed. Evidently the honorable gentleman was under a misapprehension on the subject. The whole affair appeared to be very simple. There were two or three debts actually existing, which had been raised in separate loans; and it was found that in raising these loans separately a higher interest had been paid than if they were consolidated. They found that for the waterworks the Corporation were paying the bank at the rate of 8 per cent.; that they had not raised the loan they were authorized to raise for drainage, because they would have had to pay as much, if not more interest, and the loan would consequently have been difficult to float. It was the same in

regard to another loan which had been raised by them, and for which they were paying 7½ per cent. By consolidating all these loans, and by including a further sum they required, making in all £200,000, there was every probability of the money being raised at 6 per cent. much more easily than the previous loans had been raised at 7½ and 8 per cent. His honourable friend Mr. Hall seemed to think that a change had come over the spirit of the dream pervading the Council—in other words, that they were going from one extreme to another. To him (Mr. Stokes) it appeared that there was no change whatever. When a Corporation came forward, showing that it had more than sufficient money in the way of rates to meet any payments it might be called upon to make in the way of interest, and had ample security for works which were absolutely necessary for the health of the town and for the commerce of the town, it made out a sufficient case to receive the assistance of the Council. But when they had dozens of Bills asking for endowments and asking for loans, brought up anonymously—that is to say, simply on the authority of individual members—when the Government made no sign on the subject, and when there was no immediate necessity for legislation, honorable members thought those Bills might well remain for a season—that they had better be handed over to the Government to receive its careful consideration, and that, when the matter had been fully considered by the Government, it might make such a selection of those works that were absolutely required as in its opinion would meet with the favourable consideration of the Legislature. Where no assistance was required, the harbours would remain as they are. No harm would be done, and the credit of the colony, by being carefully protected in this way, would be more available for the permanent works which the colony had undertaken; and whenever a Bill of this kind came forward, there would be a better opportunity for the applicants to avail themselves of the credit of the colony than would be the case if indiscriminate borrowing were sanctioned by the Legislature.

* The Hon. Mr. BONAR said it was almost unnecessary to say a single word on this question, and he only rose to support the suggestion of the Hon. Mr. Hall, who he hoped would take some steps to give effect to his recommendations, so that the Council might at all events see that the wharf was kept in a proper state of repair, and its revenue applied to the purpose for which it was intended. It was a matter of regret with him that the Council did not adopt the proposition to constitute a Harbour Board, and place the harbour under its control; and since that had not been done, he thought the Council ought to see that a proper expenditure of the large moneys received from the wharf should take place. He sympathized very much indeed with the remarks of the Hon. Mr. Holmes as to the charges levied on the Wellington wharf. They were very excessive. Wellington being a central distributing port, some special arrangement should be made, and the wharfage for goods that were simply passing in transit to other places should be considerably

less than was charged at present. It would be in the interests of the inhabitants of Wellington themselves that this should be done, and more equitable to those charged. He observed by the 24th clause that the Bill provided, with reference to the additional £19,000 to be borrowed, that it should be expended either under the Drainage and Sewage Act or upon the wharf. When that clause came under consideration, he would propose to limit that expenditure to the amount proposed to be expended in connection with the wharves. He thought, seeing that the Corporation had a sum of £50,000 unused at the present time for sewerage, the Council might very well see that the £19,000, which was not a very large sum, was expended in connection with the wharf. Speaking generally on this matter, it seemed to him that the Bill was a very good one. It was a wise thing to get these small loans brought into one compass, and there was no doubt that the Corporation would be very much better able to get the money they required, and on better terms, than by raising small loans. The amount they were asking for over and above that already authorized was not an excessive amount, and he thought they had shown good cause why this money should be borrowed. He might express, however, the gratification he felt that the Corporation had not asked for £400,000, but had simply come down to the Council for the actual amount they thought they would require. He would support the second reading of the Bill.

The Hon. Mr. PHARAZYN, in reply, said he would first refer to the Hon. Colonel Whitmore's objection to the Corporation borrowing so small a sum. All he could say was that the Corporation was willing to increase the amount to £250,000 if the Council was so inclined. With respect to the drainage, this question had engaged the attention of the Corporation for the last three years. They had had plans prepared, but had been unable to arrive at anything definite. The subject was always brought forward in warm weather, owing to the prevalence of fever and disastrous sickness in families; but although it had been continually discussed at the meetings of the Corporation, no result had been arrived at. The Corporation were now taking the levels, and were prepared with plans. He believed it was their intention not to go on with any work without first obtaining the sanction of the consulting engineer. It was very clear that £50,000 was not sufficient to carry out a proper system of drainage. During the last conversation he had with the Mayor on the subject, that gentleman talked of taking the drainage away by means of a tunnel into Lyell's Bay. That was a work which could not be carried out for less than a few hundred thousand pounds. Some persons proposed that the plan used in Melbourne, of flushing the drains and gutters with a plentiful flow of water, should be adopted. It was necessary that they should have a very large supply of water to do that. No money would be spent for this purpose without its receiving the gravest consideration. He believed the whole expenditure for plans, &c., would comprise the sum of £500, which would be money well spent. He quite agreed with the

Hon. Mr. Hall with regard to having separate accounts; and, if necessary, another schedule could be added to the Bill providing that the amounts raised should not be employed for any other purpose than that specified in the Act. He believed the difficulty about the wharf was this: The wharf at present was the property of the Corporation—whether justly or unjustly he did not know; and they said the receipts from this wharf were their property, and they were not to be deprived of them. But the Government would very soon have it in their power to make terms with the Corporation. The reclaimed ground was to be handed over to a Harbour Board or the Corporation on certain terms, and that would be the time for the Government of the day to say, If you make over this wharf, as originally intended, for harbour purposes, or a portion of it, the land will be handed over to you. He believed that there would be no necessity whatever for a Harbour Board if the Te Aro foreshore were handed over to the Corporation on condition that the latter undertook to carry out the necessary harbour works, and to keep separate accounts. He quite agreed with the suggestion of the Hon. Mr. Hall with regard to the sinking fund, and if possible a clause to effect that object might be inserted in Committee. It was a wise provision, and he thought it ought to be put into all borrowing Bills.

Bill read a second time.

CASTLEPOINT HARBOUR BOARD BILL.

On the motion for the third reading of this Bill,

The Hon. Mr. HOLMES moved, That the Bill be recommitted, for the purpose of inserting a proviso in clause 12 of the Bill.

The Hon. Mr. WATERHOUSE moved, That the Bill be read a third time that day six months. He thought this was a joke carried too far. There was no doubt whatever that the Bill was introduced to meet no proved want of the district, but simply with the view of casting ridicule upon a large number of Harbour Board Bills which had been introduced. He had some knowledge of this district. Until a few months past, property in the immediate neighbourhood belonged to him. Now he had no interest in it whatever. He might remark that, if there were a need for a Harbour Board in the neighbourhood of Castlepoint, the Board constituted should not be a Road Board. The Road Board district was an extensive one. He believed he was right in saying that no member of the Road Board resided within fifteen miles of Castlepoint. The sittings of the Road Board were held fifteen miles away from Castlepoint, so that there could practically be no supervision whatever. But more than that, under the Counties Bill there was a county to be created which would take the place of the Road Board. The country running along the east of the Wairarapa was entirely composed of pastoral land. There was no doubt whatever that one of the first proceedings on the part of the County Council would be to do away with the Road Boards, so the probability was that, three months after they had passed this Bill, the Road Board which was

to take charge of the harbour would be done away with. In all those little harbours there was a necessity for some supervision, but in the Counties Act they had made special provision in clause 92 to execute any public works that might be desirable in such harbours. Therefore they had made all the provision necessary in connection with little harbours of this kind, and it appeared to him that the County Council would be far better able to attend to these matters than the Board.

The Hon. Mr. HART was not aware that in the Counties Bill there was any power whatever to do away with Road Boards. He thought there could be nothing more natural and simple than the provision made in this Bill, and he wished that it might be made an example of, as showing what might be done in this way—namely, giving an existing Road Board a new function, and providing for a want which existed in this district. There was no doubt that along the line of coast Castlepoint was the only port of refuge for vessels in a certain state of the weather. Somebody must be stationed there to direct those in command of vessels as to how long they could take refuge there. For that purpose there should be some person or body qualified to turn to account the small reserve dealt with by this Bill. He thought the proposal in this Bill was the most economical mode of dealing with a necessity which existed that he had yet seen in their legislation. It created no new body or new expense, but gave a Road Board a corporate capacity for this purpose, in the simplest possible form, to deal with this necessity, and have vested in it the land which might perhaps be taken up for another purpose.

The Hon. Mr. WATERHOUSE did not know whether the honorable member was aware that this reserve was a rock, accessible only at low water. There was not a drop of fresh water obtainable on the rock.

The Hon. Mr. HART said that at any rate there would be no harm done by setting aside the land. It was said that the Bill was a satire on other measures. Well, let it pass as a satire; but he believed it was introduced to meet a serious necessity. Otherwise, he did not know, and perhaps the Colonial Secretary could inform them, whether there was any provision made for maintaining a service of the kind he spoke of. It was most essential on this coast, which was one of the worst on that side of the island.

*The Hon. Mr. HOLMES said he did not intend to press his motion for adding a proviso to one of the clauses of the Bill, as he found that it was irrelevant. The Hon. Mr. Waterhouse said that this Bill was a joke, and an attempt to throw ridicule on other Bills. He could assure the honorable gentleman that the honorable member who introduced the Bill in the other House was interested in the district, and was most sincere in wishing to pass the Bill, for which object he had gone to a great deal of trouble. He could have secured the land at a nominal price, but he thought it was highly desirable that it should be public property. An honorable member of that Council had also taken a great interest

in the Bill. It appeared to him highly desirable that there should be some body to look after the harbour at Castlepoint. It was the only place on the coast between Napier and Wellington where vessels could take shelter, and he thought it was very desirable that there should be some ground tackle or other appliances in order to secure vessels seeking shelter there. Besides, there should be some person living there who could be able to signal to vessels when they should remain and when they should stand out to sea. He thought, therefore, seeing that the Bill could do no harm and might do a great deal of good, that it should be read a third time.

*The Hon. Dr. POLLEN said that the Hon. Mr. Hart asked whether any provision was proposed to be made for an establishment at this harbour. His answer was, that no provision had been made, nor was he aware that any such provision was ever thought necessary.

*The Hon. Mr. J. JOHNSTON said that, when the captain of a ship made Castlepoint for refuge, he required no communication with the shore. He would take refuge from a strong south-east wind, and the moment he saw the approach of a wind from the north-west he would leave Castlepoint.

*The Hon. Mr. BONAR said that, if this Bill was a joke, it certainly did not appear to be one when it was before the Waste Lands Committee, which made a great deal of inquiry on the subject. It certainly was ascertained that, although it was not a work of great urgency or one requiring a large expenditure, yet vessels occasionally called there, and were a very great convenience to the inhabitants of the district. It also came to their knowledge that the expense in connection with this shipping was very considerable. He believed that the cost on goods, independently of landing them, which was done by boats, was 15s. per ton; and possibly the inhabitants there thought some cheaper mode might be adopted. The introducer of this Bill in the other House denied that there was any jocular intention in introducing this Bill.

The Hon. Colonel WHITMORE protested against Bills being introduced by way of a joke. He thought the members of the Waste Lands Committee would bear him out in saying that a good deal of trouble was taken with this Bill. It was thought that a time might come—if it had not already arrived—when it would be necessary to place the boat service under some sort of regulations; and that some body should have the power of fixing rates, and regulating the landing of goods from the vessels. He did not attach much importance to storm signals, as he thought captains of vessels would depend upon their own experience; but he did attach a great deal of importance to this landing. The Hon. Mr. Waterhouse said that the Road Board was a very unsuitable body, because the members lived a long way off; and the Road Board would be dissolved by the County Council. But administrations never died; and if the Road Board was done away with, some other body would succeed to its functions and revenues. Even if the members of the Board did live a long way off, they

could authorize somebody on the spot to look after the harbour in their name. He thought this proposal with regard to the Road Board was remarkably sensible, and likely to be economical. At first, he thought it far too small a matter to trouble the Legislature with, but, having gone so far, he thought they should pass the Bill. When the Bill was before the Committee, none of the persons examined objected on any of the grounds the honorable gentleman had referred to; so he was bound to assume that the inhabitants and the people interested in the place had no strong objection at all events to it, and that some of them had a feeling in its favour.

The Hon. Captain FRASER said that any one who knew Castlepoint must have felt that this thing was a humbug. He regarded it with such thorough contempt that he had taken no interest whatever in the matter. He was generally considered rather obstructive, but in this instance he took no interest in the matter. He intended to vote with the Hon. Mr. Waterhouse, because he thought the proposal was thoroughly contemptible and ridiculous.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	9
Majority for	...	...	...	...	6

AYES.

Mr. Bonar,	Mr. Nurse,
Mr. Edwards,	Mr. Peter,
Mr. Hall,	Dr. Pollen,
Mr. Hart,	Major Richmond, C.B.,
Mr. Holmes,	Mr. Robinson,
Mr. G. B. Johnson,	Mr. Scotland,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Lehmann,	

NOES.

Colonel Brett,	Mr. Pharazyn,
Mr. Campbell,	Mr. Russell,
Captain Fraser,	Mr. Stokes,
Mr. J. Johnston,	Mr. Waterhouse.
Mr. Paterson,	

The amendment was consequently negatived, and the Bill read a third time.

RIVERTON HARBOUR BOARD BILL.

This Bill was considered in Committee.

The Hon. Mr. WATERHOUSE moved, That the Chairman report progress.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	6
Majority for	...	...	...	...	6

AYES.

Colonel Brett,	Sir J. L. O. Richardson,
Mr. Edwards,	Mr. Robinson,
Captain Fraser,	Mr. Russell,

Mr. J. Johnston,
Lieut.-Colonel Kenny,
Mr. Paterson,

Mr. Stokes,
Mr. Waterhouse,
Colonel Whitmore.

NOES.

Mr. Bonar,
Mr. Hall,
Mr. Hart,

Mr. Holmes,
Mr. Lehmann,
Dr. Pollen.

The amendment was consequently carried, and progress reported.

The Council adjourned at ten minutes to eleven o'clock p.m.

HOUSE OF REPRESENTATIVES.

Monday, 23rd October, 1876.

First Reading—Second Reading—Third Readings—San Francisco Mail Service—Supply—Native Fuel—Whangarei County—Auckland Baths—Contingencies—New Zealand Times: Privilege—Intestate Natives Succession Bill—Financial Arrangements Bill—Gold Fields Act Repeal Bill—Auckland Beach Road Grants Bill—Douglas Grant Bill—Otago and Wellington Tolls Bill—Disqualification Bill—Public Works Bill—New Zealand Loan Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Botanic Garden Leasing Bill.

SECOND READING.

The Gold Fields Bill.

THIRD READINGS.

The Gold Fields Bill, the Land Transfer Bill, the Auckland Public Buildings Bill.

SAN FRANCISCO MAIL SERVICE.

Mr. WHITAKER said that, with the permission of the House, he would read two telegrams which he had received from New South Wales with reference to the San Francisco Mail Service. Honorable members would recollect the position in which the question was left on the evening when it was last referred to. That was on Friday evening. He then read to the House a telegram which the Government had just received from the New South Wales Government. On Saturday a communication was received, asking that the New South Wales Government might receive an answer before the "Australia" left New Zealand. This answer was sent, to which a reply was expected; but on Sunday evening the Government received the following telegram from Mr. Taylor, the officer in charge of the telegraph station at Botany, New South Wales:—"Have asked Sydney repeatedly about reply, but cannot find any of the Ministers. Hopeless to get anything to-day." A few minutes before the House met this evening, the Government received the following telegram:—"We cannot consent to substitute Auckland for Bay Islands.—COLONIAL SECRETARY, Sydney." As the "Australia" had now left Auckland, there was no immediate

hurry; but to-morrow or next day he would inform the House what the Government proposed to do in regard to the matter.

SUPPLY.

Mr. SHARP, in the absence of Mr. Seymour, asked the Premier, if he will take steps during the recess to obtain a return showing,—(1.) All reductions made in Committee of Supply on estimates submitted during the last ten years; (2.) All additions made to the estimates, in compliance with the resolutions of the House, during the past ten years; (3.) Such return to show the amounts respectively in a tabular form.

Major ATKINSON said he would take steps to have the return asked for presented to the House.

NATIVE FUEL.

Mr. WASON asked the Minister for Public Works, if the Government are prepared to carry out the recommendations contained in the report of the Native Fuel Committee? He thought it right to say that, in his opinion, the information asked should have been given before. He would remind the Minister for Public Works that the owner of one of the largest coal mines in Canterbury had stated that he was prepared to give sufficient coal to the department for a month, in order that a fair trial of it should be made.

Mr. RICHARDSON, with reference to the portion of the question relating to the use of native coal, might state that already a large quantity of it was being used on the Auckland and Mercer Railway, and instructions would be given to have it tried on the Canterbury and Otago railways also. With regard to the report of the Native Fuel Committee, he would say that the Government had thought the matter over, and were not inclined to carry out the recommendations contained therein, by offering a bonus for manufacture of patent fuel.

WHANGAREI COUNTY.

Sir R. DOUGLAS asked the Minister for Public Works, if the Government are willing to advance the sum of £5,000 to the County of Whangarei, for the purpose of forming a tramway to facilitate the shipment of coal from the various mines in the district; such sum to be a charge against land revenue raised in the provincial district? A resolution of the Provincial Council had been passed calling on the Superintendent to make provision to carry out this tramway, and he did not see why the Government should not allow this course to be followed, and the cost charged against the land revenue of the Province of Auckland.

Mr. RICHARDSON said the Government had no funds at their disposal to make such an advance. The Government would, however, look into the matter, with the view of ascertaining whether they could give any assistance in regard to the matter.

AUCKLAND BATHS.

Mr. SWANSON asked the Premier, if it is the intention of the Government to give effect to the report of the Public Petitions Committee on

the petition of the Mayor of Auckland with reference to the reserve for baths and wash-houses? He said that his question had relation to a small piece of land which was originally set apart as a reserve for public baths in Auckland. It had been taken out of the hands of the Corporation, and they wished to have it restored to them. The Public Petitions Committee had recommended that the land should be returned to them.

Mr. WHITAKER said this land had originally been part of the Auckland Domain, from which it had been taken away as a site for baths and wash-houses. In 1860, however, it was restored, and the water having been diverted, to his mind the land would no longer be of any use for its original purpose, and should not be taken from the domain.

CONTINGENCIES.

Mr. MURRAY asked the Colonial Treasurer, if he will lay before this House, early next session, a return showing the expenditure under the various votes for contingencies?

Mr. RICHARDSON said the return was already on the table. It was laid there every year as part of the public accounts.

NEW ZEALAND TIMES: PRIVILEGE.

Mr. SHEEHAN.—Before the House goes to the Orders of the day, I should like to bring before the House a matter of privilege affecting myself. I will state the facts as shortly as I can. There is in the *New Zealand Times* this morning a sub-leader having reference to a discussion that took place upon a despatch from His Excellency the Governor covering a letter from Mr. Dargaville. Of that paper I have, for greater accuracy, obtained a copy, and, to make my remarks clear, I will first quote the remarks of which I complain. The article says,—

“Sir George Grey and the members of his party are marvels of honor; and there continually arises from them a thanksgiving that they are not as other men. High rank in the party is a guarantee of the occupants' excellence in these qualities; hence Mr. Sheehan is either first or second lieutenant, and his purity and truth are as conspicuous as are those of the Grand Lama, who can do no wrong. There has been some controversy as to whether Mr. Sheehan's action in reference to the rescinding of the Abolition resolution passed by the Auckland Provincial Council was not directly due to the instructions, at any rate influence, of Sir George Grey. Mr. Sheehan has denied it very emphatically; but to let the public judge for themselves, we print what Mr. Sheehan said in moving the resolution in 1875, and what he said in denial in 1876.”

And the paper goes on to quote as follows from my speech in this House during the discussion on His Excellency's despatch:—

“Another statement made in this despatch, in the refutation of which I appeal to all members of the Provincial Council now present to support me, is that the repeal of the resolutions carried by the Provincial Council of Auckland in favour of abolition was brought about by the direct instigation of Sir George Grey. There is no truth

whatever in that statement. Those resolutions were moved by me. I came on that very day from Napier, and had no opportunity whatever of consulting with Sir George Grey on the question. The question in favour of abolition was put to the Council, and by one of those blunders which occur in all representative bodies, it was carried without discussion. I was in the library at the time it was carried, drawing up an amendment which I intended to move. I returned to the House, and, without any consultation with Sir George Grey, gave notice of the rescinding resolutions which were afterwards carried. That Sir George Grey instigated that, or desired it, or brought it about, is utterly untrue."

What I am reported to have said in moving the rescinding resolution in the Auckland Provincial Council is also given in this paper. The reports of the Auckland papers of the proceedings in the Provincial Council are not so full as the *Herald* reports of the proceedings of this House; but still the account given of what I said on the occasion does fairly represent what I said. These are some of the statements I made in moving the resolution:—

"He had the authority of Sir George Grey for saying that he regarded the action taken on the previous day as most disastrous, and fettered him to such a degree that it became a question whether it was worth while carrying on any further. Sir George Grey said he had left his retirement for the purpose of taking up this question. The people heard him. He proclaimed openly what views he held. Resolutions of confidence were passed in him. The provincial Press teemed with articles of approval; and yet the Council, which he expected to assist and aid him in this matter, appeared determined to convert him into nothing more or less than a mouthpiece. He appealed to honorable members not to spoil the chance the province had of getting a fair consideration of its claims in the General Assembly."

And then the article concludes with what, I suppose, is the moral of the article—"And Mr. Sheehan 'is an honorable man!'" Now, the conclusion which the editor of the paper wishes the public to draw from this is utterly opposed to the actual facts. He has overlooked a most material fact in connection with the matter. The point of the article was that the rescinding resolution was moved at the instigation of Sir George Grey. Now, Sir, I repeat that Sir George Grey could have had no idea of what was going on. When the main question was put, I was called on to draw up an amendment to the resolution, and retired to the library to do so. During my absence, the resolution was put and carried. Every member of the Provincial Council who is present here knows that to be a fact. This article, however, would lead one to suppose that the giving notice of these resolutions and moving them were identical, whereas the resolutions were not moved till the following day. In the meantime, as a matter of official duty, I had to meet Sir George Grey, and I may tell the House that the resolutions which I had moved to rescind did not meet with his approval, because they

were opposed to the objects which induced him to come out from private life to take part in the affairs of the Province of Auckland. I should not have mentioned the matter at all; but I am not content that my character should be judged in a House containing so many new members by articles such as these. I did not see my way to making my explanation in any other form, or I should have done so. I might have written to the editor of the paper; but he probably would have appended to my letter a footnote similar in character to this article. I can only repeat that at the time I had no consultation with Sir George Grey, and he did not know that I was going to move the resolutions. I moved them on my own responsibility, as members of the Provincial Council very well know; and I would have moved them even if Sir George Grey had disapproved of them. If I thought that other honorable members desired to express themselves upon the matter, I would move, That the House do now adjourn.

Mr. O'BORKE.—I rise to corroborate what has fallen from the honorable member for Rodney, and to state that, if any one is to blame for the resolution in favour of abolition being carried in the Province of Auckland, I am that person. It is to me a matter of the utmost amusement that so much stress should from time to time be laid upon that resolution by His Excellency the Governor—a resolution which was carried by the merest snatch vote. Why, Sir, the motion with regard to the Piako Swamp, which was carried early in the session by my honorable friend the member for the Thames, was a princely vote compared to it. Sir, the fact is, that in every legislative body there is sure to be some mischief-maker. It was well known that a resolution confirmatory of the three iniquitous resolutions for the abolition of the provinces in the North Island was being hawked about, and it was also well known that if the author of this resolution were put forward to move it he would receive no support. However, it was placed in the hands of a new member, a "green" member, I may say; and when the resolution was given notice of, it was looked upon with perfect contempt. The member who proposed it had no standing in the Council beyond that of other members who had taken no prominent part in its proceedings. On the day upon which the first resolution was passed, the Council met as usual at three o'clock. Members came into the Council Chamber slowly, and in a very sudden manner this resolution was brought to a division. The speech of the mover might have occupied three minutes, that of the seconder three seconds. When the question was put to the vote, the other members were in the library discussing whether the resolution should be taken notice of or allowed to pass with derision. The voices were taken, and I decided that the "Noes" had it. A division was called for, and, after the voices had been taken, the honorable member for Newton rushed in and said, "I want to speak upon the resolution;" but as the "Noes" had given their voices, I ruled that he could not do so. He seemed very much annoyed at not being allowed to speak; but,

in accordance with my usual practice, I decided that the debate could not be opened. I have no doubt that had I relaxed my ruling, the decision would have been very different. But the whole thing was disposed of in five minutes. Members came in and voted hardly knowing what the question was. Immediately after the result was made known, the honorable member for Newton and the honorable member for Rodney asked whether some means could not be taken to reverse the vote. I told them the only course they could adopt was to rescind the resolution; and the honorable member for Rodney there and then gave notice of a resolution to rescind the resolution already arrived at. How the Superintendent could be said to have anything to do with instigating the matter I am at a loss to conceive, for I never saw him about the Council Chamber during session, except at the opening and closing of the Council. That is the history of the matter, and I am surprised that the gentlemen on the Treasury benches should seek to bolster up their scheme of abolition by constant reference to this snatch vote of the Province of Auckland. Let us look at the actual state of the case, if we really wish to know what the feeling of the Council was. The following day the resolution was rescinded, it is true, by a majority of one; but, Sir, the counter resolutions were carried unanimously. Did those honorable gentleman who wished to see abolition carried out in the Province of Auckland dare to contest the proposals of my honorable friend the member for Rodney? No. They were carried unanimously, and that showed that there was at that time a strong feeling against abolition in the Province of Auckland.

Sir R. DOUGLAS.—I should be sorry, after what has fallen from the honorable member for Onehunga, to allow this matter to pass by without making a few remarks. I am as familiar with the circumstances as any honorable member in this House. The honorable member for Rodney is perfectly right in the statement he made regarding himself; but the honorable member for Onehunga is not right in the statements he made regarding those members who voted in favour of the Abolition resolution. The resolution was peculiarly worded, and the intention to propose it was well known to members of the Council for two days before it was actually proposed. Now, that was not a snatch vote, secured for purely party purposes, nor can I believe that it was the result of a pure accident. Indeed, there were several other members who would, in my opinion, have voted for the resolution, had they been in time for the division.

Mr. O'ROBKE.—Mr. Boylan?

Sir R. DOUGLAS.—Mr. Roche was one; but there were others, who told me that they would have voted for the resolution had they been present when the vote was taken. Was this, then, a snatch vote? It was deliberately given, and those who gave it would give it again. Mr. Roche told me that he would have voted for the Abolition resolution, but explained that he did not vote on the second resolution because he did not vote on the first. It is a mistake to

suppose that the Abolition resolution was received with contempt. The whole thing was deliberately done. I was asked whether I came to that Council with a view of getting those institutions upset, and it stands on record that I said "I did."

Mr. HAMLIN.—I also have some recollection of what took place. In some respects, I agree with what has just been stated by the honorable member for Marsden; but instead of it being known amongst members of the Council two days before that the Abolition resolution was to be brought down, I recollect that a certain honorable gentleman from the extreme North went round insidiously endeavouring to get members to vote for it. I hear some honorable members crying "Name." It is not necessary to name; I am stating exactly what happened. I was waited upon, and I said to this gentleman, "You are perfectly well aware what my feelings are. As to pledging myself to vote for this resolution, I shall not do anything of the kind. When the matter comes up for discussion in the Provincial Council, I shall say what I have to say, and give my vote in accordance with my feelings." The honorable member for Rodney is perfectly correct, notwithstanding the opinions of the *New Zealand Times*. The honorable gentleman came to the Council only two hours before the Council met. The resolution was brought on by one of the members for the Thames, and, as has been stated by the honorable member for Onehunga, the whole matter did not last more than four or five minutes. I and the honorable member for Rodney, the honorable member for Franklin (Mr. Lusk), and the honorable member for Newton (Mr. Swanson), and other members, had gone into the library with a view of drafting an amendment to propose to the Provincial Council; but so well had the gentleman who had undertaken the case, and whose sole object was to get the vote carried, whether by a snatch vote or otherwise, looked after the matter, that so soon as he saw a certain number of honorable members out 'of the Council who were likely to have jumped up and created a debate, the member who was speaking sat down, and the question was immediately put, as stated by the honorable member for Onehunga. Thus it was virtually a snatch vote. There is one matter besides in which I differ from the honorable member for Marsden. Possibly he is right, but I think his recollection is slightly incorrect. I think he will find that the member of the Provincial Council for Waipa (Mr. Roche) voted on the first occasion, and that his vote is recorded in the Journals of the Provincial Council in favour of the resolution. But when he found how it was done, he, with the honorable member for Howick (Mr. Peacocke), both refused on the second occasion to vote, in order to have the matter fairly brought forward, properly discussed, and a decision properly arrived at. Last session it pained me exceedingly to find that some honorable members, and especially the honorable member for Clive, should have taunted the members of the Auckland Provincial Council with having been dictated to by the honorable member for the Thames, and

with having obeyed him like babes. Nothing could be more incorrect. The honorable member for Clive mistook altogether the temper and mettle of the Provincial Council of Auckland. Not even the present Superintendent of Auckland, although aided and abetted by the honorable member for Clive, would have been able to dictate to the Auckland Provincial Councillors and make them say one thing to-day and another thing the next day unless it was their conviction—the conviction of their hearts and souls, and not merely the conviction of one honorable member. It did astonish me that an honorable member who was in the habit of sitting in his own Council, and who, by his great name perhaps, frightened his fellow-Councillors, should have presumed to judge of others as he did of his own people. They, with his august presence in their midst, no doubt easily gave way to him, but that gave him no right to attribute to us such cowardly motives. We are made of different metal, and we showed it, for we struck out votes from the estimates; and the only occasion on which we were thwarted was in the case of certain votes over which this Parliament had a control. If it had not been for that control, we should have reduced the expenditure of Auckland by £6,000 or £7,000; but the General Assembly stepped in and resuscitated certain officers whom we considered unnecessary. A great deal has been said by His Excellency the Governor with regard to this matter, and I deeply regret that His Excellency should not have chosen a more worthy member of the community of Auckland on whose statements to base the despatches he sent Home. If there was any man who lacked the courage to come forward in Auckland, and who knew that he had foregone all claims upon the electors of that province, it was the individual His Excellency has quoted. It has given me considerable pain to think that any one in so high a position as His Excellency should have based a despatch upon the statements of so unworthy an individual, and one so little respected in the hearts and minds of the people of Auckland, as the individual in question.

Sir G. GREY.—Sir, being personally interested in this matter, I may be allowed to offer a few observations to the House. I am compelled to do this because it is with the greatest regret I find that His Excellency the Governor, after I have placed the clearest evidence before him, has reiterated the charge he has made against myself. Had the charges rested simply on myself I should have cared little about them; but the truth is they are intended to prejudice to the Home authorities the cause which I represent. The Governor has sent down to this House two despatches which he has written to the Secretary of State in relation to this subject; and I solemnly declare—and I am justified in so doing—that the charges against myself, in both those despatches, are absolutely untrue. I regret I must go further and say that they have been written with the pen of malice.

Major ATKINSON rose to order.

Mr. SPEAKER.—I do not think the honorable member is justified in saying that.

Sir G. GREY.—Well, they have been written with the pen of a man who has desired to distort facts to injure another man.

Major ATKINSON rose to order.

Mr. SPEAKER.—The honorable member must not impute motives. The honorable member can comment upon the subject. He can state in defence that the charges are unsubstantiated or incorrect; but the honorable member goes beyond what can be permitted when he attributes motives.

Sir G. GREY.—If one individual imputes motives to me, and these motives so imputed are false, what am I allowed to say? I speak not as to facts, but as to motives attributed to myself.

Mr. SPEAKER.—I am sure the honorable gentleman will quite perceive that, to use a very familiar simile, two blacks do not make one white. If it be so, as stated by the honorable member, it can be no justification for his following the course he is now taking.

Sir G. GREY.—I will abide by your ruling, Sir; but I may say that the first accusation of which I am now complaining, made against me, is an unconstitutional accusation. The Crown, neither by itself nor by its representative, has any right to interfere with elections, nor has it a right to receive reports with regard to the conduct of members in reference to elections. Our freedom is gone if elections can be watched over by the Crown or its representative, if motives in going to elections can be misrepresented, and if reports can be made to the Crown in reference to such subjects. The Governor was pleased to state that I had consented to be put in nomination for the Thames District after I had been returned for Auckland City West; but mark the words which follow: "with a view"—that is, with the motive—"by his own personal influence, of preventing the return of a second Abolition candidate by that constituency." That, Sir, was not my motive; I deny absolutely that it was my motive. My motive was of a much nobler character. I believed, Sir, that the Thames constituency was prepared to return at least one candidate in favour of the views I entertained, if a candidate could be found who could bear the necessary expenses of the election. I tried to find a candidate for that purpose; and no candidate being found, I thought the people at the Thames had a right to return one member on the side I advocated. I never entertained the malignant motive which has been attributed to me. My motive was a totally different one. Then, upon the subject which has appeared in the newspaper, it is due to myself to say that His Excellency the Governor has been pleased to state that he did not advance a charge with reference to the police of Auckland and my action in connection with the matter. He states that he simply enclosed a letter containing that charge. I think his conduct is more blamable in doing that than if he had made a charge against myself. I think nothing can be worse than to stab a man through a private letter received behind his back, concealed from him, and then that the whole mat-

ter should be allowed to proceed without his knowledge. Then, I say, when I have clearly proved the groundlessness of that accusation, the Governor has expressed no regret to the Secretary of State for what he had done, nor has he expressed any regret to myself. But I must conclude that he has maintained that accusation—it is maintained in the letter which he forwarded Home. I say that to forward an accusation made by another man in a letter from yourself, in which you state your belief in some of his accusations, is worse than to make the accusation yourself. I contend that any man who intended to have made such an accusation against another should have instantly let him know, and allowed him an opportunity to rebut it if he could. Then upon this other question, I gave the most explicit denial to the statement made of my having instigated and dictated the resolution of the Provincial Council of Auckland, which I was accused of having so instigated and dictated. It has been proved that I did not do so by evidence which, I contend, is as clear as the sunshine in midday; but the accusation is repeated, and supported by the same arguments as have been used in this newspaper. I say it is wrong that men's characters should be so taken away, and no regret be expressed when its erroneousness has been shown, but the thing be re-affirmed in the same positive language. I declare that I have no knowledge of the original motion made to the Provincial Council. I had no knowledge of what was to take place, nor any knowledge that an amendment was to be proposed, until I heard of it afterwards—in fact, not until the next day. That was clearly proved by the declaration of several honorable members of this House in their places in Parliament. I cannot understand how the Governor, knowing those speeches had been made, should still have reiterated that accusation to the Secretary of State in his second despatch. I say that his course in doing so was a wanton and unfair abuse of power. Not only was that done, but the most damaging statements were at the same time made against myself. The Secretary of State was informed that I had in point of fact declared, through Mr. Reader Wood, that I did not intend to act as a constitutional Governor. And these statements were made to the Secretary of State in a manner likely to produce a prejudice against myself in the minds of the Queen and the British Parliament. These statements are absolutely contrary to the truth in the way they stand, and in the connection in which they are made. The Governor, in order to justify his own statements, said that I could not dispute them, because the quotations made from Mr. Reader Wood's speech were contained in papers laid before this Parliament. It was the Governor himself who laid the papers before Parliament, and it was he himself who was my accuser to this Parliament. Until I received his despatch, I had no knowledge that such papers were laid on the table; and how could I believe that the papers in which that accusation is contained should be called "Auckland Land Sales"? How could a person search in a paper of that kind for an accusation against

himself in relation to the Provincial Council Auckland and upon a totally different subject. Now, Sir, the paper that the Governor laid before this House is an extract from the *Southern Cross* newspaper. It is not a full report of what took place in the Provincial Council, such as would appear in *Hansard*; it is a statement made in a public journal in Auckland of which Sir Julius Vogel was proprietor at the time, which was maintained for the express purpose of vilifying the opponents of the Government, and of placing all their proceedings before the public in the most unfavourable light. The Governor knew that at the time he sent his despatch to the Secretary of State, and he did not lay it on the table of this House until more than a month after he had forwarded it to the Secretary of State. Now, I am stated to have used these words with regard to the Executive, which are incorrect, taken in the connection in which they are stated, and which will be read by people in England who are ignorant of our Constitution. But what is the real fact of the case? I had made provision with the greatest care in the Constitution Act by which the Superintendent might act as the entire Executive of the province in these things, and have the most absolute control. If, therefore, the Superintendent of a province had no Executive Government which was responsible—what was called a responsible Government—there is this provision in the Constitution Act, that the majority of the Provincial Council can remove him from his office by vote, and the Governor has to consider whether he will or will not do it. When I was elected Superintendent of Auckland, I found that form of government prevailed there—that the Superintendent was a responsible officer, subject to dismissal by the majority of the Provincial Council. He was really liable to be turned out by an appeal to the Crown, just in the same way as by a vote of want of confidence we might require the Governor to remove his Ministry. So in the Province of Auckland, at the time when I became Superintendent, the Superintendent could be removed from his office by a vote of the Provincial Council. I determined, looking at the question which was agitating the public mind, and the possible short time that the provinces might continue, that, upon the whole, it was best that the then existing form of government should continue. Was it fair upon such grounds, and upon such reasons, when in a constitutional manner I chose that form of government which I was entitled to carry on, that I should be misrepresented to my Sovereign and to the British Parliament as having used language of the most offensive kind? I say that a more unjust or unfair statement could not have been made in reference to any man. The whole despatch which has been sent Home really bristles with statements of the same nature. Nothing, I submit to the House—my despatch can be read—could be more moderate than the language I used. I defended myself before a Judge whom I knew to be powerful—a Judge whom I knew it was to my advantage to conciliate. I used such language as I thought became a suppliant under such cir-

cumstances. I contend that not only is my defence absolutely ignored, but injury is added to injury, and not one word of regret is expressed. When I received the Governor's first despatch, I found that he had already written Home to the Home Government four months previously, declaring that he would not allow the Queen's vessels or marines to be used in any disturbance which might take place amongst the European population of this country. Had I known that, I would not have sent the second telegram I did. And when I wrote in humble terms asking him immediately to transmit a telegram informing the Secretary of State that when I sent my telegram to him I was in ignorance of his despatch, the Governor refused to send that telegram. He refused upon the advice, as he said, of his Responsible Ministers. I contend that in doing that he did me a great injury and a great injustice; and I say more than this—that it was a case in which he was not justified in going to his Responsible Ministers for advice. The rule is, that when the Crown of its own act does a personal wrong to a subject, the moment it is shown that it committed a wrong, the Crown itself makes instant reparation. It does not go to its Responsible Advisers and ask, Shall I make reparation or shall I not? It does not ask them, Shall I allow the injury which I have inflicted upon that man still to exist, or shall I remove it? No, but hurriedly, with honor, with generosity, it does its utmost to redress the wrong and injury which it has done to the subject. I believe that nothing worse has ever been done than the act of which I complain. I believe, Sir, that had my second telegram gone Home, a very different opinion might have been formed of the state of affairs here. But an attempt has throughout been made to impress the minds of the Home authorities with the most favourable views of the supporters of abolition. Any one who reads this paper called "Auckland Land Sales" and the memorandum of Dr. Pollen, bristling with perversions of facts, and who reads the other memoranda sent Home by the Governor, will see that there has been a deliberate intention to injure myself and those who thought with me. It has been carried to such an extent, that even in English periodicals favourable to myself, the proprietors of which are friends of my own, statements are now made that I am the one man resident in a dependency of the British Empire who is desirous of breaking up the Empire, whereas every effort of mine has been directed to its well-being and to its conservation. I know that the minds of Her Majesty's Advisers have been filled by the statements which the Governor of this country has sent Home against me. Therefore I knew that the other day he had a fair opportunity of saying—"I feel I have done you an injury; I am sorry for having stated the things which I did; I at once will endeavour to remedy the evil that I have done." I say that, instead of pursuing a course of that kind, he has reiterated things which, had he possessed the ordinary faculties of reason, he must have known to have been untrue. I say it is impossible that any man with the evidence before him in relation

to what passed in the Provincial Council of Auckland, on the occasion of the resolutions spoken of, could have come to the belief, weighing calmly as a Judge, as he ought to have done, the evidence—I say it is impossible that he could have come to the belief that the majority of the Council upon the second resolution had acted at my instigation and at my dictation upon a resolution dictated by myself. I say it is impossible that any man possessing the ordinary faculties of reason could have come to that conclusion; and in the same way it is impossible that any man possessing the ordinary faculties of reason could have come to the conclusion that the evidence which he submitted to the Secretary of State proved that I was the originator of the report that he said I originated. He might, in his own mind, have believed it from reports made to him in a manner of which I have no knowledge. That any man of cool and unimpassioned judgment could have come to the conclusion that there was evidence to convict me of that charge, I say is absolutely impossible. The truth is that the Governor has throughout acted as a partisan. That appears by his sending down the Abolition Act to this House as a Money Bill, recommending this House to pass that Act, knowing that the Act was to deprive men of privileges which the Queen's subjects generally value above all things. He sent it down in that way, thereby indicating that, if passed by this House, he would assent to it. I say that the history of the Empire will produce no incident parallel to that. Then, when the Abolition Act was passed here with a reservation that it should not come into operation until the end of the session, and when it passed another branch of this Legislature, he sent it Home in a despatch, conveying to the Crown the belief that the people of this country would approve of it—that he believed that that question was to be submitted fairly to the constituencies, when he knew that that would not be the case.

Major ATKINSON.—I do not wish to interrupt the honorable gentleman; but I would ask you, Sir, whether he is not now going beyond the question under discussion?

Mr. SPEAKER.—I believe the honorable member is endeavouring to rebut a charge personal to himself. Hitherto he has confined himself to the question of privilege; but I am bound to say that he is now travelling beyond that question of privilege, which is as to whether the honorable member, in another capacity, had instigated or dictated a certain resolution. I think the honorable member is going too far in reopening the Abolition question. The question immediately before the House is as to whether the account given by the honorable member for Rodney as to the part he took, and the part alleged to have been taken by the honorable member for the Thames, is correct or not. The honorable gentleman is quite justified in elucidating his view on that point, but he ought not to travel beyond that.

Sir G. GREY.—The Government never can bear the mirror of truth to be held up to them. They always throw some obstacle in the way to prevent the truth from being stated. I am not quite

sure that I am not justified in speaking as I have done in defending myself from the grave accusations made by one who ought to be a Judge, and reiterated again to the Home Government. I think, Sir, if I show under such circumstances that the mind of the Judge is a biased mind—that he is not an unprejudiced Judge—if I can show distinctly that such is the case, I think I should be allowed to do it. The distinct accusation made against me, after the full explanation that I had given, is that I had not stated the truth; that the accusation made against me before was correct; that my reply was not truthful and not sufficient. That reply has gone Home, and was instantly promulgated to all the people of New Zealand. Surely, Sir, I am justified in saying, Be careful how you take this opinion from my Judge. I will show you that he is not an unbiased and impartial Judge. Here are my proofs of that fact. If I prove what I say, weigh with caution the decision at which he has arrived. Is that privilege to be allowed me or not? That is what Ministers try to stop. I say, Sir, that the Governor and a party at Home were determined that Abolition should take place. A large party in this colony were also in favour of it; and they have acted together, and they have endeavoured to prejudice the minds of the Sovereign of England, of the people of England, and of the Parliament of England against those who hold views opposite to their own. The papers I hold in my hands prove that. I was going on to say, and I think I am justified in saying it, that the Governor has shown that he is a partisan.

Major ATKINSON rose to order.

Mr. SPEAKER.—Although great latitude should be conceded to an honorable member who is endeavouring to refute charges brought against him, I do not think the remarks of the honorable gentleman upon this occasion should take so wide a scope. A distinct issue was brought forward as a question of privilege; but that must not be made a means of introducing a large question that scarcely can be said to be relevant to it. I am sure the honorable member will see that on this occasion he is going beyond what the case requires.

Sir G. GREY.—Well, Sir, I do not know how to defend myself. I stand here as a member.

Mr. REES.—I rise to a point of order. I should like to know what ruling there is in the precedents of the House of Commons, or of this House, to prevent the Governor's name being mentioned.

Mr. SPEAKER.—That is not at all the question. It is not a question as to whether an honorable member can call anything into question; but the same broad rule of parliamentary debate and usage applies to this case as in any other case—and that is, when a distinct question is before the House, an honorable member must confine himself in some respects to the question before the House. I have not endeavoured to confine the honorable member within narrow limits; but when the honorable gentleman enters into a much larger discussion, I cannot permit it, especially after my attention has been called to it.

Mr. REES.—I misunderstood the point of order, Sir. I must apologize.

Sir G. GREY.—I shall not attempt, Sir, to say anything more. I must trust to have some other opportunity for fairly answering this question; but I still think I was perfectly within order. I cannot see how, when one is assailed in this way, one can possibly defend oneself unless latitude is allowed. I believe a man pleading in his own defence is always allowed very great latitude indeed. I did not begin this. A despatch which was kept from me for four months was suddenly brought up. The poison in that despatch was generally circulated in Great Britain, and I was anxious to meet the case in every way. The poison is being circulated throughout the whole of New Zealand, I must say by subtilty, by papers under the control of the Government. I intended to have made no written reply to the Governor, but to have spoken where I thought my words would have reached other portions of this colony and other portions of the Empire; but if I am not allowed to do that now, I must only regret that these reports may still be circulated for a long time before I can give that answer to them which I think my character and standing demanded from me, and my position in this country entitles me to. I am sorry, indeed, that the Government should have interfered as they have done. They have interfered to prevent my telegram from going Home; they have interfered in every possible way to prevent me from defending myself. Any one will see that they were really the instigators of the Governor's despatch, by that means to stab—they knew he was availing himself of private information, and did not allow me an opportunity of fully and fairly disabusing the public mind here and in England of the crimes attributed to me, and of showing what is the real source and origin of those crimes, and what are the feelings and prejudices of those persons who have made charges against me. I shall take your ruling, Sir, and sit down.

Mr. HODGKINSON.—The remarks of the honorable member for Rodney refer to the Governor's despatch, and I as a new member of the House was under the impression that they would open up the whole question of the despatch, and give members an opportunity of commenting upon any part of it. From what I can gather from your ruling, we are only at liberty to deal with that particular paragraph which refers to the action taken in the Auckland Provincial Council. If so, I shall not proceed any further. I would wish to ascertain whether I am at liberty to make any comments upon the despatch generally or simply upon one paragraph.

Mr. SPEAKER.—A distinct issue was raised by the honorable member for Rodney, respecting a matter which he had no right to raise except as a question of privilege. Incidentally, no doubt, it had other bearings, and very considerable latitude has, I am bound to say, been allowed in so far as this debate is concerned. The immediate matter before the House, which I hope the House in this debate will confine itself to, is a question raised by the honorable member for Rodney as a

misrepresentation of facts concerning himself; and it would manifestly be exceedingly inconvenient if it were made the occasion to enter upon a question cognate to it, but very much beyond the immediate point raised. Any one who has a charge made against him has a greater amount of latitude allowed to him, but still there is a limit. I hope the House will confirm me in the ruling I have given—that such latitude had reached its extreme limit upon this occasion.

Mr. HODGKINSON.—I will take another opportunity of referring to this despatch.

Mr. SHEEHAN.—I may say I did not expect any debate upon this matter. When I saw the turn the debate was taking, I thought the matter I referred to and myself were being overlooked. I will take leave to withdraw the motion for the adjournment of the House.

Major ATKINSON.—I am very much obliged to you, Sir, for your ruling, and I know the House is very much obliged. After what you have ruled, I shall not make any reference to the speech we have just heard from the honorable member for the Thames; otherwise, I should have commented upon it; but as there will be another opportunity of doing so, I shall leave dealing with it until a subsequent period. I would point out to the honorable gentleman, if he desires to have an answer spread abroad in the same way as the despatch upon which he commented, he could have had that done by replying, and in the ordinary course his reply would be laid upon the table and printed. So the honorable member had another opportunity than that which he has taken upon this occasion. I would also say that, in rising to call the honorable member to order upon several occasions to-day, the Government were not at all desirous of putting a stop to accusations against themselves. What we are here for is to be found fault with upon all executive matters. I did rise—and I thank you for bearing me out—whenever the honorable member appeared to me to be proceeding to undue limits of comment upon His Excellency the Governor, and also upon the ground that he was travelling beyond the question under discussion. I shall take a future opportunity of discussing this matter.

Mr. REES.—It was in relation to the point mentioned in the first part of the statement made by the Premier, and not with reference to the question of the honorable member travelling beyond the question under debate. I did not think of that part of it. Upon the point of referring to the Governor, I shall be perfectly prepared to meet the Ministry or anybody else at any time.

Motion for the adjournment of the House negatived.

INTESTATE NATIVES SUCCESSION BILL.

Mr. WHITAKER, in moving the committal of this Bill, said he asked the House the other day to read the Bill a second time on the understanding that any discussion upon it should take place on the motion that the Speaker should leave the chair in order that the House might go into Committee on the Bill. He now wished to say a few words in explanation of the principle

of the Bill, and the reason for its being brought forward. Considerable difficulty had arisen in reference to lands held by the Natives, for the reason that the orders of succession made by the Native Land Court only applied to land which had been passed through that Court. But Natives were in possession of land under various other titles; and one object of the Bill therefore was to make the order of succession apply to all Native lands, whether they had passed through the Native Land Court or not. That object was a good one, and the Native members of the House were very desirous that the Bill should be passed for the purpose of enabling persons who ought to succeed to lands to acquire a good title to them. Another part of the Bill extended the power of granting succession orders in regard to personal estate. The power to grant orders at present referred only to lands that had passed the Native Land Court, and did not apply to personal property at all. The consequence was, that, when Natives died possessed of considerable personal property, a good deal of difficulty arose as to who should succeed to it. The Bill had been brought forward on the present occasion in consequence of a circumstance which occurred at the Thames. Rapana, a chief of considerable importance, died some time ago, leaving a sum of £7,000, deposited in the Bank of New Zealand. He left a widow and two children. The widow applied in ordinary course for letters of administration; but the Judge of the Supreme Court in Auckland would not grant them because she was unable to prove she had been married according to the laws regulating marriages among ourselves. The consequence was, the money was at present locked up in the Bank of New Zealand, and nobody was able to make use of it. In order to get over that difficulty, the Native Land Court was enabled by this Bill to ascertain who, according to Maori custom, would be entitled to the money, and the Court would make an order, and upon that order letters of administration would be granted. By this Bill, Natives would be placed on the same footing as Europeans in regard to intestate estates after the order granted by Native Land Court. He moved, That Mr. Speaker leave the chair in order that the House might go into Committee on this Bill.

Mr. SHEEHAN said he had gone carefully through the Bill, which he would support. Many districts had for many years felt the want of such an Act as this. He thought that it should be made law that every estate of over £50 or £100 should come under the provisions of this Act.

Mr. SHARP did not intend to make any objection at all to the Bill, but he would like to know how far it related to half-castes. He would like to know how they were to be affected by the Bill.

Mr. TAIAROA hoped the House would agree to this Bill. At the beginning of the session he had suggested to the Government the desirability of introducing such a Bill, as there were a great many people who held lands under Crown grant, and when they died those lands were the subject of dispute amongst the descendants of the owner. As the law at present stood, nobody knew to

whom such land belonged; but he was sure that if this Bill were passed there would be no trouble. With regard to what had been said by the honorable member for Nelson City, he could only say that he himself had noticed that there was no provision made for half-castes. He would support the Bill.

Mr. NAHE thought this was one of the best Bills which had yet been introduced relating to Native property, but at the same time he believed that the half-castes could, as provided for in other Acts, come under the provisions of this Bill the same as Maoris.

Motion agreed to. Bill considered in Committee, reported without amendment, and read a third time.

FINANCIAL ARRANGEMENTS BILL.

The House went into Committee of the whole to consider the following proposed new clause:—

“Notwithstanding anything contained in ‘The Lyttelton Harbour Works Loan Act, 1873,’ when any money should be borrowed or raised under the said Act, the same shall be deemed to be a portion of the permanent debt of the District of Canterbury within the meaning of the 6th section thereof, and shall cease to be a charge on the dues, rates, and charges specified in the 18th section of the said Act.”

Sir G. GREY asked if it was proposed to be made a charge upon the Land Fund.

Major ATKINSON explained that such was the object—to take it off the Lyttelton Harbour and place it on the Land Fund.

Sir G. GREY objected to that course being taken. He believed £50,000 of the money was already charged on the Land Fund in respect to this work. An Act was passed by which £100,000 was allowed to be raised to construct works for the purpose of forming a harbour at Lyttelton, and the interest upon that money was to be a charge upon the harbour dues and wharfage rates. The effect of transferring those charges would be to enable the Lyttelton Harbour Board to raise another £100,000.

Major ATKINSON said it was not so. The clause simply provided that the Land Fund of the district should be security for the £100,000, instead of the harbour dues and wharfage rates.

Sir G. GREY.—Then the harbour dues and rates would be relieved to that extent, and the Board could raise another £100,000.

Major ATKINSON.—No, it gave no power to raise a new loan.

Sir G. GREY thought it was not a right proceeding to charge this money upon the whole district. From what he had seen in the Lyttelton papers, he believed he was expressing the views of the people there in this respect.

Mr. ROLLESTON was sure the honorable member for the Thames would not do what was unfair in regard to this matter. What the honorable member had seen in the Christchurch papers was not what he seemed to imagine, but that the people had a strong objection to losing the borrowing power, which was absolutely necessary in order to complete the work. The question was of considerable colonial importance. There was

no harbour in the colony to which railway traffic so much converged as the Lyttelton Harbour; and when the provinces were abolished, that harbour would be left without power to raise sufficient money to make the harbour works available for the purpose for which they were constructed. He would ask the honorable gentleman to consider the position of Canterbury. It was very different from the position of other provinces; because when its railways were sold, as it was proposed they should be, they would not, as in other provinces, leave Canterbury with a considerable debt. If the harbour dues and wharfage rates were to be charged with this sum, the Harbour Board, which was to take the place of the Government in the matter, would be very much crippled. What it was proposed to do was not what was indicated in the newspaper article: the £100,000 was going to be raised, but the interest upon that sum was to be charged upon the whole district, and be a liability as part of the permanent debt of the province. The people who traded with Lyttelton would, under any circumstances, have to pay this money; but in order not to cripple the harbour works in future, it was proposed to leave the Board free in its dealings with those very important works. He was quite sure the honorable member for the Thames would see that when the railways were about to become colonial property there could be no more suicidal action than to leave the harbours in such a condition that the colony would lose by the railways. In making the provision now proposed, the colony would be doing that which would benefit itself as much as it would benefit Canterbury.

Mr. W. WOOD quite concurred in the remarks of the honorable member who had just sat down, and believed the principle laid down was so good that it should be extended to other places. What was good for Lyttelton Harbour was good for the Bluff Harbour also. He thought there was nothing extravagant in the request now made for the Lyttelton Harbour, considering that Canterbury had six or seven millions of unsold acres of waste land; but it would be well for Canterbury members too, as they wanted assistance themselves in carrying this through, to assist other honorable members in obtaining what was required for the harbours in their districts. It would be well to bring these matters up in the early part of next session, and make their demands, when it could be done with such force that they would be sure to be granted. He admitted that the House of Representatives had this year granted an endowment of 35,000 acres for the Bluff Harbour, and it could safely do so, seeing that Otago had some 18,000,000 of unsold acres; but it had been refused in another place; and unless the assistance of the Canterbury and other members were given next session, the request might be refused again. If other harbours were placed in the same position as the Lyttelton Harbour, he would support this proposition. If the requests for other harbours were shown to be as just as those for the Bluff and Lyttelton, he would be quite ready to support them.

Mr. ROWE agreed with every word that had

fallen from the honorable member for Avon, and also with all that had been said by the honorable member for Mataura; but he could not help saying that what the honorable member for Avon said that afternoon was very different from what he said in reference to the other Harbour Board Bills on a previous occasion. When endowments were proposed for those harbours, the honorable member did not take the same course or act so liberally as he now appeared inclined to do. He might say, with reference to the Bluff Harbour Board Bill, that he was never so much astonished as he was the other evening when the member of the Ministry in charge of that measure consented to the amendments made in it by the other branch of the Legislature. There had been no measures introduced during the present session which demanded more consideration from the House than these Harbour Board Bills. By some it had been said that they were the natural outgrowth of the Abolition policy; but he contended that, if ever New Zealand was to be made what she ought to be, her harbours must be improved; and if the harbours were ever to be improved, it would not be by direct money votes from Parliament. If those who had charge of these Bills had come to the House this session, and asked for direct money votes for the improvement of the harbours, would they have got them? They might have called spirits from the vasty deep, but they would not have come. The House would have been told by honorable members on the Ministerial bench that there was no money for the purpose. If endowments were ever appropriated to a right purpose, and to an object which would develop and promote the resources and interests of New Zealand, it was to the improvement of these harbours. When a member of the Ministry in charge of one of these Bills so readily abandoned the provisions giving endowments for the harbour, it must be a matter of surprise to every one. He believed the members of the Upper House would, even before the session was over, see that they had done wrong. He believed there was, amongst members of that House, that good sense and deep interest in New Zealand which would make them recall their action; and then the honorable gentleman would lose his chance, while other honorable members in charge of other Harbour Bills would be able to seize their opportunity, and obtain endowments for their harbours. He would vote for this clause; and he hoped the honorable member for Avon would deliver a very different speech from that which he had delivered to the House on a previous evening, when any matter in connection with harbours was brought forward again.

Mr. ROLLESTON would be sorry if the honorable member for the Thames (Mr. Rowe) misunderstood what he said in regard to these Harbour Board Bills. What he had contended was, that it was a great pity the innocent and the guilty should be slaughtered together, and that there had not been more discrimination shown in dealing with the matter generally. He would like to tell the honorable member that this was no new proposition. The money had been

actually spent, having been borrowed temporarily from one account by another. The harbour works at Lyttelton were now very nearly completed, so that it was not a question of the construction of a new harbour that was before the House. There was no more colonial work than the formation and improvement of harbours. He would assure the honorable member that he would support any Bill that was brought forward upon its merits, as he considered there was no colonial work of more importance than the construction of harbours.

Mr. ROWE said the honorable member had misunderstood him. What he said was this: that if they were to have Bills introduced and passed for that purpose, they must have endowments. That principle had been set aside. With respect to the Bill he had introduced, he was sorry to say that they had no land in the Thames District except the foreshore. There was no object for which endowments could be more properly set aside than the improvement of the harbours of New Zealand. The greatness of the colony in future would very much depend on its commercial development; that development could not be obtained without the improvement of the harbours, and the harbours could not be improved without endowments. Therefore those who had voted against endowments did what was wrong, as they voted against the future advancement of New Zealand.

Mr. BUTTON said if he was informed aright there was no Harbour Board in Lyttelton, and this was simply a provincial debt. The Province of Canterbury had chosen to expend its money at the port of Lyttelton, and now all that was asked was that this debt should be part of the general debt of the province, and should be charged to the account of the province. It seemed to him to be a monstrous idea that, if a Harbour Board was now to be formed, they should be saddled with a debt previously incurred, particularly when the provincial authorities were willing that it should be added to their account. If the Provincial Council had met, they would have passed a resolution wiping the whole thing off, but, as the matter now stood, the debt was incurred by them, and they did not make provision to charge it to their account. All that was now asked to be done was to charge the debt against the account of the province, and to wind up the old partnership account of the province.

Mr. SWANSON would like to be informed what was £100,000 at 20s. in the pound, and 60,000 acres of land at £2 an acre. He might be wrong, but he could not see any difference. This money was to be given to the Lyttelton Harbour Board while endowments were refused to other places.

Mr. RICHARDSON said that it was at first proposed to give an endowment in land, but that intention was not adhered to, as it was thought better that borrowing powers should be conferred.

Mr. SWANSON said that, while £100,000 was proposed to be given to the Harbour Board of Lyttelton, endowments in land were refused to other Harbour Boards. They should all start

fair in these matters. The Harbour of Lyttelton should be placed in exactly the same position as the Provincial Council intended to put it in, and that was all this House should be called upon in justice to do. Let the arrangement made by the Provincial Government respecting the £100,000 be ratified. A great deal had been said about these harbours being colonial works, but he ventured to say that the harbours would never be as well worked or cared for by the General Government as by local management. Would the harbours of Glasgow or Liverpool have been as well looked after by the Government as they had been under local management? He did not think it. There would have been an absence of that emulation which existed between the various Harbour Boards, which benefited the harbours of the respective cities. He could easily understand a central power depressing one place and stimulating another. He did not believe in making the Harbour Boards subservient to this House. An attempt was made last year to have the power of suspending, dismissing, or appointing officers connected with Harbour Boards; but it failed, and he hoped any similar attempt would be opposed. He would vote against this measure, as he thought it was quite unfair and uncalled for.

Mr. STAFFORD said a misapprehension appeared to exist in the minds of some honorable gentlemen on this question. From what had been stated by the honorable member for Newton, they were led to infer that something new was asked for the harbour of Lyttelton. The fact was that there was nothing of the kind asked for. There was a power given by Act, which had been on the Statute Book for some years, to borrow £100,000, but that power had not yet been exercised. It could be exercised at any moment. The House could not prevent it. Of course, it could pass an Act to repeal that statute if it chose. All that was asked for was that, instead of the people of Lyttelton paying the interest on that loan in the shape of harbour dues, it should be spread over the whole people in Canterbury. No person in Canterbury objected to that being done. There was no new power sought. He could understand the objection raised if the contrary were the case, or if any undue advantage was to be conferred upon the port of Lyttelton. The only question was as to how the interest on the money should be charged—whether upon the people of Lyttelton or its neighbourhood, or on the people of the whole Province of Canterbury.

Mr. SWANSON said he was under no misapprehension. An undue advantage was given to the people of Lyttelton, inasmuch as they would have to pay no harbour dues or rates, while the shipping going in and coming out of other harbours in the colony were saddled with very heavy fees and charges. He would be glad to see every harbour endowed in such a way as that every facility would be given to shipping entering the ports. He should object to any Harbour Board being exceptionally assisted to the extent now proposed. It was proposed that the Harbour of Lyttelton should get £100,000 free: it would then be able to go into the market at once and borrow £200,000. He would like to know what

Harbour Board could start in the same position as that. He had no objection if all the harbours of the colony were to be in the same position.

Mr. HUNTER said it seemed to him that this question was being considered from a narrow-minded point of view, instead of one having for its object the benefit of the whole colony. If they could not get all they wanted, it was surely better to agree to a proposal that would benefit the harbour of Lyttelton. They should take this broad view of the matter: that if the harbour of Lyttelton was benefited in any way, the whole colony would derive advantage. They should eschew narrow-minded prejudices, and do that which would advance the prosperity of New Zealand as a whole. This appeared to be a question which directly concerned the Canterbury people themselves. It was easy to speak of this as a provincial matter, but it was one which would be for the benefit of the colony, and he would certainly support the vote; and he hoped that those who had not been able to secure means for improving their harbours would be more fortunate next session. The honorable member for Avon alluded to particulars not being given respecting Harbour Bills; but that was done, in most cases, when they were first introduced, and the honorable member should have recollected the peculiar positions in which these Harbour Board Bills were. They were first brought in by honorable members, and some explanation was then given. They were then referred to the Committee of Selection, were withdrawn, afterwards introduced by the Government, and then finally brought in by individual members. This made matters rather complicated, and probably honorable members had forgot the arguments that had been adduced in support of these Bills when they were brought in.

Mr. MONTGOMERY desired to point out to the honorable member for Newton that Lyttelton Harbour would not start in such an admirable position as the honorable member anticipated, for it would require from £5,000 to £7,000 a year to be expended in dredging. In the next place, it had got no endowments whatever. Auckland and Dunedin had got endowments, and he was very glad to know that he had voted for the endowments being given to the various harbours, and would be prepared at any future time to vote for reasonable endowments of harbours, provided the land was in the locality where a harbour was situated. He would assure honorable members that very heavy rates would have to be levied to maintain the harbour. He thought that, as the members from the province were entirely agreed that this should be made a provincial charge, honorable members might safely allow it to be made so, and be sure that no injustice would be done either to the province or to the colony at large.

Sir G. GREY quite agreed with the liberal views of the honorable member for Avon, as to the desirability of seeing harbours as free as possible. He would go with the honorable member to this extent: if they wished the Colony of New Zealand to be the Queen of the Pacific, and hold the commerce of the Pacific in its hands, the

proper course would be to make all the harbours free. Nothing would more tend to the advancement of the commerce of the colony than that, at all the harbours where goods could be entered at the Customs, ships from all parts of the world should arrive and depart without paying any fees for lights, pilotage, or wharfage. Honorable members might think that a wild view; but as long ago as 1842, when Adelaide was in a most depressed condition, he proposed that plan, and it was carried out with almost general consent. The commerce of the colony improved from that day in a most wonderful manner. That, he thought, was one of the great questions to which they should direct their attention. The effect of having free ports would be that every article of food imported, everything consumed, would be cheaper, our exports would be disposed of cheaper, far more vessels would resort to the colony, freight would be cheaper, and we should be enormous gainers. With reference to the vote of £100,000 for the harbour at Lyttelton, the honorable member for Timaru said that had been given. It is quite certain that the money was found, but it was found as a loan, secured upon certain rates; and now it was proposed to change the incidence of the charge, and really to give the harbour of Lyttelton a grant of £100,000. The question was, who was to pay the interest on the money? The House was going to compel the Road Boards to pay it. The House was going to take from the Road Boards a sum of money they would otherwise have, and that was unfair. It should fall upon the whole of the consumers of New Zealand. It was impossible to say that part of the goods imported at Lyttelton might not pass into Otago or Marlborough. He did not agree with the observation made that the people of Canterbury desired that this should be done. Where were the petitions from the Road Boards asking that this sum of money should be taken from them?

Mr. STAFFORD said the money had been taken from them already, and paid for the work. It was now proposed to recoup them by raising £100,000.

Sir G. GREY said the money had only been lent to the harbour, and it was now sought to turn the loan into a permanent gift. He would have no objection at all to the House agreeing to this vote, on the understanding that they would endeavour to make the charges in all the great harbours of New Zealand as light as possible. By all means let them begin at Lyttelton, for there was no jealousy in his mind. He thought it was a preferable course, but it was one that should not be adopted on a sudden. A Bill should have been brought in for that purpose, and he did not think that a clause should suddenly be put in the Financial Arrangements Bill to obtain the object sought; and the House should not agree to this vote until the Road Boards had been consulted. He hoped these remarks would be taken in a friendly spirit, for he freely agreed that the works at Lyttelton were necessary, had been most admirably carried out, and would benefit New Zealand. They were important works, in which all should take a share; and he

was prepared, on behalf of the country from which he came, to take a share if Auckland was to be treated in the same way afterwards.

Mr. WASON agreed that no petition had come from the Road Boards; but, as a member representing an outlying district, he would say conclusively that such a proposition as this would meet the views of the people of Canterbury. Nothing would more conduce to the general welfare of the Road Boards in Canterbury than the passing of this Bill. Every member from an outlying district would say that he would sooner see the whole of this sum spent for the benefit of Canterbury than several small sums spent among the Road Boards.

Mr. BURNS asked whether the revenue from shipping charges in the port of Lyttelton was to be handed over to Canterbury.

Mr. G. McLEAN.—No.

Mr. BURNS said he had partly drawn that conclusion from the remarks of the honorable member for Avon. He was glad to find that it was not the case, for he was inclined to vote for the proposal, but would not have done so had it been intended to hand over the port charges to Canterbury.

Mr. FISHER said the Province of Canterbury had already made large sacrifices in constructing the tunnel at Lyttelton. These harbour works would benefit the whole community. He did not think any objection would be made to the vote by the people in any district of the province, for without a good harbour at Lyttelton they would not be able to get on at all.

Mr. SHEEHAN was not at all satisfied with this proposal. He would be quite willing to concur in any agreement whereby the money might be left on loan to the persons managing the harbour at a reasonable rate of interest for a reasonable number of years. It appeared to him that now they had abolition, and the Land Fund was practically made colonial revenue, it was not fair to handicap all the other harbours in the colony by giving Lyttelton £100,000. With this vote they could go into the market, raise another £150,000, and make Lyttelton the best harbour in the colony at the expense of what even the most extreme Abolitionist would call colonial revenue. The House had been told by the honorable member for Timaru that next year he would go in for making the Land Fund colonial revenue; but in the meantime the Legislature was giving to the harbour of Timaru an immense landed endowment, and was giving Lyttelton what was practically an endowment in land. If the provinces had remained as they were, he would have denied the right of the House to question this vote, because the province would have a perfect right to give it out of its own Land Fund; but now matters were entirely different. Honorable members had seen this spectacle: The Land Fund of the colony, which ought to be available for roads and railways, for opening up the country, was to be used for charitable purposes, hospitals, and education, and now for harbour purposes. This was a very inconsistent proposal; and unless the Government saw its way to make provision out of Land Fund

for trunk lines of road in the various districts of the colony, they should not allow £100,000 of what was practically colonial money to be taken for the purpose of building up a harbour at Lyttelton. He admitted its importance, for he believed it was the only harbour on the eastern sea-board of Canterbury, and the whole trade of the province must centre there. It had been suggested that trade might go to Timaru; but even if the Assembly passed the Timaru Harbour Board Bill, it would not provide means for making a harbour there. He would not take up the time of the Committee any further, as the question had already been discussed as fully as possible.

Question put, "That the clause be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	9
Majority for	...	...	...	...	25

AYES.

Major Atkinson,	Mr. Montgomery,
Mr. Baigent,	Mr. Ormond,
Mr. Bryce,	Mr. Reid,
Mr. Burns,	Mr. Richardson,
Mr. Button,	Mr. Rowe,
Mr. Carrington,	Mr. Sharp,
Mr. Curtis,	Mr. Stafford,
Mr. Fisher,	Mr. Stevens,
Mr. Fitzroy,	Mr. Tawiti,
Mr. Gibbs,	Mr. Teschemaker,
Mr. Hialop,	Mr. Tribe,
Mr. Hunter,	Mr. Wason,
Mr. Hursthouse,	Mr. Whitaker,
Mr. Kelly,	Mr. Woolcock.
Mr. Kennedy,	
Mr. Larnach,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Rolleston,
Mr. G. McLean,	Mr. Wakefield.

NOES.

Mr. De Lautour,	Mr. Thomson,
Mr. Dignan,	Mr. Tole.
Sir G. Grey,	<i>Tellers.</i>
Mr. Seaton,	Mr. Hamlin,
Mr. Swanson,	Mr. Sheehan.

The clause was consequently agreed to, reported to the House, and ordered to be considered in Committee on the Bill.

The House then went into Committee on the Bill, which was reported with an amendment, and read a third time.

GOLD FIELDS ACT REPEAL BILL.

Major ATKINSON, in moving the second reading of this Bill, said its object was simply to repeal an Act passed last year to give relief to the miners in respect to water-rights. That Act had been found inoperative; and at the request, he believed, of the whole of the gold fields members, the Government had consented to repeal it. It could apparently do no good to the miners, and might possibly inflict very considerable injury upon them.

Mr. TRIBE would not like to see a measure of this kind passed unchallenged. He was aware that the Act was passed after a great deal of effort on the part of the then honorable member for Dunstan. It passed this House last session, and had the support of the Minister for Public Works. It contained a provision valuable to the miners; and he should be glad to know why it was inoperative before he could consent to its repeal. In 1874, the measure which it was proposed to repeal passed this House, but was thrown out in the other branch of the Legislature. In the following session, it was passed through both Houses, and the Minister for Public Works then spoke in favour of it. It was very essential that, where men had the right to mine, they should also have the right of using the watercourses. The Act not only gave them that right on payment of compensation, but it provided that in future the land used should not be subject to water-rights, but that the mining interest should be respected. He very much regretted that the honorable member who represented Dunstan last year was not in the House to give some explanation of this matter; but he hoped some gold fields members would be able to say why the repeal was asked for. Gold fields members had struggled for two sessions to get this Act passed, and he did not like to see it now repealed, because they all must know what a difficult matter it was to get a Bill through the other House if it affected the interests of the large landed proprietors. He hoped the House would pause before it agreed to the repeal, and he thought some very strong reasons should be urged before it was agreed to. He had referred to some of the remarks made upon the Act of last year, and he found that the Superintendent of Otago spoke very strongly in favour of it, saying it was a step in the right direction, and that the Provincial Council of Otago had requested that such action should be taken. Mr. Stout, then Provincial Solicitor, was also in favour of some such legislation. If the Act was inoperative, he would ask honorable members what object there could be in repealing it; but if it was operative, it should not be repealed without some very substantial reasons being given.

Mr. RICHARDSON said he supported the Act when it was before the House last year; but when it came back from the other branch of the Legislature, it was a totally different measure. Immediately after last session, the Government took steps to put the Act in operation; but the Wardens, almost without exception, advised that it should not be enforced, as it would not work satisfactorily. The Superintendent of Otago, in forwarding the reports of the Wardens in that province who objected to the Bill, declined to make any recommendation as to enforcing its provisions. This session, the gold fields members one and all—he had not been aware the honorable member for Totara was an exception—had requested that the Bill might be repealed.

Mr. BUTTON said the object for which the Act was passed was one of very considerable importance in Otago, where rights between land-owners and runholders and the miners would be likely to conflict; but on gold fields such as those

on the west coast of the Middle Island, where the population almost entirely consisted of miners, there was no necessity for such an Act at all. On the other hand, the present Act was very dangerous. He thought its details were very insufficient for the protection of the rights of the miners against the runholders and landowners; for expensive machinery was to be put in force, heavy compensation was to be paid, and that compensation was to be taken out of the gold fields revenue of the district interested. If all the parties who could hatch up a claim, in the event of a stream being declared a place for running tailings under this Act, were to receive compensation, it would simply be ruinous to a district. There was a portion of the Act which might have been useful—namely, that which declared that land sold in the future should be subject to the provisions of the Act; but that was not an unmixed benefit, because it was quite obvious that very great injustice might be done to purchasers of land. A person might buy a piece of ground, and make great improvements upon it, at a time when no tailings were running down a stream that passed through his property. He might have been induced to buy the land by the fact of the stream running through it; and when he cultivated and improved the land on its banks, it might turn out that the stream would be useful for mining purposes, and, under the Act, the whole of his cultivated land might be covered with débris from the mines: yet there would be no compensation given. That would not be just and fair. Coming away from those parts of the country where the rights of the miners might conflict with the interests of the runholders, he would say that on the West Coast Gold Fields the provisions of the present Act, so far from being acceptable, were positively mischievous. It was proposed to bring the Act into operation at the Waimea, near the Kumara diggings, for the purpose of declaring the Waimea Creek a place to run tailings. The Act had been drawn to protect the interests of property-holders, not those of the miners. A great many diggers on the West Coast had rights in creeks, and a great many had rights in the Waimea Creek; but none of those rights were respected by the Act, and, if it had been enforced, the miners would have lost their rights, and been greatly injured; but they would not have got a penny by way of compensation. No Act of the kind was required on the West Coast. There might be a few isolated instances in which lands had been purchased that would be affected by tailings running into the streams; but they were almost isolated cases. He would support the repeal of the Bill, although he thought some of its provisions might be wholesome if introduced in a different manner. As already mentioned by the Minister for Public Works, the Act was sent back from the other Chamber in a very different shape from that in which it passed through this House, and it had been so hacked and cut about in another place that it was almost a useless measure. He believed the Act was introduced at the instigation of the honorable member who sat for Dunstan in the last Parliament; and he believed the present

member for that district was very anxious that it should be repealed; for the very district for the benefit of which it had been introduced into the House found that it was disadvantageous, and sought to have it repealed.

Mr. DE LAUTOUR thought one remark made by the honorable member for Totara ought to be replied to. He said very justly, "If this Act is inoperative, why interfere with it?" The fact was, it would only be inoperative so long as the funds out of which compensation was payable were colonial funds, because the Government very wisely declined to put the Act into operation so long as that was the case; but the moment the funds upon which compensation was thrown were local funds, as the gold fields revenue was now to be under the Government proposals, the landowners would be entitled to claim to have the Act put into operation, and the result would be that the whole revenue would be swallowed up in attempting to meet the compensation that would be awarded. One other very unjust provision of the Act, which rendered it necessary that it should be repealed or amended, was that, while due notice must be given before watercourses could be proclaimed watercourses under the Act, at any time after that had been done the Governor might, by the stroke of his pen, cancel the Proclamation, and the miners would be deprived of the right of using the stream without receiving any compensation whatever. That, he thought, must be an error, for he could hardly conceive that so unjust a provision could creep into an Act if it had been noticed at the time. It would not have passed through the Upper House last year if the compensation was to be paid out of anything other than gold fields revenue. The Hon. Mr. Hart, the Hon. Mr. Johnston, the Hon. Mr. Holmes, and others pointed out very forcibly that the claims for compensation, at the lowest computation that could be made, would be a very heavy charge indeed; and they could not agree, on any terms, that the Land Fund should be the fund out of which the money should be recoverable. It was only on condition that the gold fields revenue should be laid under contribution that they allowed the Act to pass. The Gold Fields Committee very early this session took the matter into consideration, and unanimously agreed to ask for a repeal of the Act. A deputation waited upon the Government, and the Government, in accordance with the request made to them, adopted the measure introduced by the honorable member for Dunstan, as Chairman of the Gold Fields Committee. It was with very great regret that the Gold Fields Committee felt bound, in duty to the interest they represented, to appear to be undoing the work of the honorable member who formerly sat for Dunstan, whose efforts were duly appreciated; but the measure appeared to be so dangerous a one, and so unjust to those in whose interests it was supposed to stand on the Statute Book, that they had no alternative but to ask the Government to agree to the repeal of the Act.

Bill read a second time, considered in Committee, and read a third time.

AUCKLAND BEACH ROAD GRANTS BILL.

Mr. WHITAKER, in moving the second reading of this Bill, said that the Bill was introduced in order to enable the Governor to issue grants for certain lands on the Auckland Beach Road to persons whose property had been affected by works carried on in front of their land. Between the Beach Road and the railway there was a narrow strip of land, which was the land proposed to be dealt with in the Bill. One gentleman was already taking steps to enforce his claim for compensation in a Court of law; but the claimants generally had said that they would take the land in question in full of all demands. He moved the second reading of the Bill.

Mr. TOLE would, before the question was put, like to obtain Mr. Speaker's ruling as to the parliamentary regularity of this Bill. In his opinion, it came within the definition of a private Bill according to the 292nd Standing Order, which said,—

"Private Bills shall be understood to be Bills which are promoted for the private interest of individuals or companies, or which, by their provisions, directly interfere with the private property of individuals."

He held that this Bill did interfere directly with the private property of individuals. The preamble, he might say, in the first instance was not at all correct; for, amongst other things, it assumed that the consent of the Harbour Board to this arrangement, as alleged by the Bill, had been obtained. He had received the following telegram from the Secretary of the Auckland Harbour Board about a week ago, when it first became known that this Bill was on the Order Paper for its second reading:—

"I notice second reading of Auckland Beach Road Bill is to take place to-day. As we know nothing of it, and it may in some way affect this Board, I would feel obliged by your using every endeavour to protect our interests, if in any way interfered with. Would be glad to get particulars of Bill for Board meeting to-morrow."

This showed the serious inaccuracy of the preamble. He sent the Harbour Board a copy of the Bill; and that very evening, just before the sitting of the House, he had received the following telegram from the Chairman of that body:—

"Copies of Beach Road Bill received. Preamble altogether wrong. 'Foreshore Grant Act, 1875,' does not include foreshore proposed to be vested in Queen; grant by Crown to Superintendent in 1858. Board never gave consent. Allotments from Britomart to Eden Street have no riparian rights; in Crown grants described as bounded by a public quay."

"WILLIAM C. DALDY,

"Chairman, Auckland Harbour Board."

He had also received the following telegram from a gentleman whose property was directly affected by the proposed Bill:—

"Have not seen Beach Road Grant Act. . . Stewart's measurements are not admitted by the landowners. The cases are before the Court."

And the sender of the telegram very properly added that—

"It is a shame that Acts like this can pass without the persons interested being able to see them. Stewart says my lot encroaches; it does not. Do not let me be shut out from proving it."

This afternoon he received this telegram from the same individual, who, along with others, felt very much in the matter:—

"Reject this Bill. The piece coloured pink is not true. . . . We have a right to be heard."

This showed conclusively the private and secret character of the Bill, and it showed also the necessity for time being given for the consideration of its injurious provisions in relation to private property. The 2nd clause of the Bill referred to a plan, the measurements and delineations on which were in dispute between the Resident Engineer and landowners. The 3rd clause of the Bill said,—

"The said parcels of land coloured pink on the said plan are hereby vested in Her Majesty the Queen and her successors for an estate in fee-simple, freed and discharged from all mortgages, charges, leases, and incumbrances of every kind."

Though the consent of the Harbour Board to this arrangement had not been obtained, as stated in the preamble, their property was to be taken from them according to this Bill, and vested in Her Majesty, in order to enable the Governor to convey it to these landowners. It could not be disputed that that was a direct infringement of private property; and therefore he believed that Mr. Speaker must rule this to be a private Bill. He would also like to remind honorable members that in cases of this kind Parliament did not act so much as a legislative body as one of a judicial character. He held that all Bills of this kind should be subject to the usual intervals and notices, in order to give people who were interested an opportunity of making any objections they might have to make in regard to them. Moreover, in this case there was a strong argument against immediately dealing with the Bill, namely, that a case was already pending trial before the law-courts in connection with the question, and should not be prejudiced. This Bill might doubtless do good to some individuals, but it would injure others; and the House could not be too vigilant in protecting the property of all people. He was of opinion that this was a private Bill, and, as it was a matter which was before the Courts, he thought the passing of the measure should be deferred till next session.

Mr. SPEAKER said that, his attention having been drawn to this Bill, he could only say that, *prima facie*, this appeared to him to be a private Bill, and one which ought consequently to be referred to the Committee on Private Bills.

Mr. WHITAKER would, before Mr. Speaker gave his decision, like to say that, in his opinion, the Bill was not a private one. It neither took away nor interfered with any right, but merely enabled the Governor to grant certain lands to certain people who might desire to acquire them.

Mr. SPEAKER said he had understood the honorable member for Eden to urge that, whereas certain lands were, by virtue of this Bill, to be

vested in Her Majesty, and as it interfered with the private rights of people, that it was a private Bill. He had to point out that, *prima facie*, this did appear to him to be a private Bill, and therefore that it ought to be referred to the Committee on Private Bills.

DOUGLAS GRANT BILL.

Major ATKINSON, in moving the second reading of this Bill, said the House was probably aware that some years ago—in 1874—a certain block of land was sold by the Provincial Government of Wellington, with the approval of the General Government, on terms mutually agreed upon, to a certain company, the terms being that the company were to make certain improvements on the land, and place seventy families on it within a given time. The land being in a Native district, some difficulty had arisen with the Natives, which prevented the company obtaining peaceable possession. The object of the Act was to extend the time for the settlement of the families, and to grant them a certain portion of the land, ample security being received by the Crown for the fulfilment of the conditions. The matter had been very carefully considered, not only by the Government, but by the members for the district. The Bill represented, or nearly represented, the terms of the agreement made with the company.

Mr. W. WOOD had no wish to obstruct the Bill or to take up time unnecessarily; but it appeared that this land had been sold on certain conditions for the purpose of securing settlement. If, as had been stated by the Premier, the company had been obstructed by the Natives, that was a very good reason why some concession should be granted; but he knew other instances where persons had bought land on favourable terms, on condition that certain improvements should be made and settlement should be secured, and a strong desire was afterwards evinced to evade the conditions. He hoped that was not the case in this instance. If the Government were satisfied that the company were in earnest there should be no objection to the Bill; but he hoped they would satisfy themselves that it was not an attempt to shirk the conditions.

Mr. SHEEHAN thought the agreement embodied in the Bill was fair to the colony and fair to the company, and should therefore meet with the approval of the House.

Mr. BRYCE could give the honorable member for Mataura his humble assurance that the company had been obstructed by the Natives. He might say, further, that he had been consulted as to the arrangement which was sought to be given effect to, and, with one exception, he concurred in it. He had just received the Bill, and therefore had not had an opportunity of carefully studying it; but there was one provision which was entirely new to him, and he hoped the honorable gentleman would not press the commitment of the Bill.

Major ATKINSON said he did not propose to commit the Bill that evening. With regard to what was said by the honorable member for Mataura, he might inform the honorable gentle-

man that the conditions upon which the land was originally purchased were published in the *Gazette*; and if the honorable gentleman would compare them with the Bill, he would see that there was no chance of the company evading the conditions.

Bill read a second time.

OTAGO AND WELLINGTON TOLLS BILL.

This Bill was read a second time, and considered in Committee.

Schedule 2.—Rates of toll.

Mr. BRANDON moved the insertion of the following words: "For every such vehicle carrying milk and other dairy produce only, on and after the 31st March, 1877—Sixpence only."

Question put, "That the words proposed to be inserted be there inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	82
Majority against	...	...	...	...	16

AYES.

Mr. Andrew,
Mr. Barff,
Mr. Bowen,
Mr. Burns,
Mr. Button,
Mr. Hursthouse,
Mr. Kennedy,
Mr. Ormond,
Mr. Reid,

Mr. Richardson,
Mr. Rowe,
Mr. Stafford,
Mr. Wason,
Mr. Woolcock.

Tellers.

Mr. Brandon,
Mr. Rolleston.

NOES.

Major Atkinson,
Mr. Bryce,
Mr. Carrington,
Mr. Dignan,
Sir R. Douglas,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Hielop,
Mr. Hunter,
Mr. Johnston,
Mr. Joyce,
Mr. Kelly,
Mr. Luxsden,
Mr. Lusk,
Mr. Manders,

Mr. G. McLean,
Mr. Montgomery,
Mr. Murray,
Mr. Rees,
Mr. Reynolds,
Mr. Seaton,
Mr. Stevens,
Mr. Swanson,
Mr. Thomson,
Mr. Tole,
Mr. Tribe,
Mr. Whitaker,
Mr. W. Wood.

Tellers.

Mr. De Lautour,
Mr. Sheehan.

The amendment was consequently negatived.

Bill reported to the House, and read a third time.

DISQUALIFICATION BILL.

Mr. BRANDON, in moving the second reading of this Bill, said it would be needless to occupy the time of the House by making any lengthy observations upon the Bill, the principle of which, now universally acknowledged, was to prevent a Government obtaining too great an influence over the members of either branch of the Legislature. The Bill now before the House

was framed upon the recommendations of the Disqualification Committee. It was mainly a consolidation of the existing Acts, and it contained one new principle. It provided generally against members of either House holding office, but exempted seven members of the Executive Council. The Speakers and the Chairmen of Committees of both Houses were also exempted. The new principle was this: that no member of the Assembly should accept office for a certain time after he had ceased to be a member. The provisions as to the disqualification of contractors might lead to some little discussion in Committee, because a new exception had been introduced by the Government, which was not recommended by the Committee.

Sir R. DOUGLAS would hardly like to let the Bill pass without making a few remarks upon it. He thought the electors of New Zealand should be allowed to choose whom they liked. They would never make the people better in this respect by Act of Parliament. The Bill would, he thought, have a contrary effect, for it would tend to make people careless with the members they returned, thinking that the Disqualification Acts kept them from doing wrong. His idea was, that the sooner they taught the people of New Zealand that it rested with them to send good men to the House the better. He thought members of the House knew perfectly well that they could take contracts if they chose. They could take contracts and still retain their seats in the House by simply transferring the contract to another party. The protection against jobbery and corruption must rest with the people themselves. If they thought a man was good enough to represent them in the House, they should be allowed to send him there. If bad or inferior men were sent there, the colony would of course suffer; but it would be only in the same position as other colonies which had suffered for their misdeeds in consequence of failing in their duties to themselves.

Mr. REES thought it would be found that in every Assembly in the world there was some restriction placed on the people who were elected to be members of it, and whose duty it was to levy taxation and to expend it. It had always been found undesirable to put representatives of the people in the position of contractors. The Bill simply amounted to this: that anybody would, if it were carried, be able to influence the Government or be influenced by the Government while they were in the House, by reason of taking any employment from the Government, with certain exceptions, which it had been found advisable to make in every Anglo-Saxon place where representative institutions existed. He thought the Bill was a good one. It was a consolidation of all the laws already in existence, together with the laws of Victoria on the same subject, and it embodied some hints from the English Acts; and he thought the House would do well to pass the Bill.

Mr. BUTTON would support the Bill, because it contained one good clause, which was the 2nd.

Sir G. GREY said this Bill did not only relate to members of that Chamber, but also to members of the Legislative Council. Therefore it was not a question of the people of New Zealand being allowed to choose their members, if the Government were to be allowed to call to the Council contractors and other like persons. He thought that a Bill of this kind was absolutely necessary, considering the Constitution they lived under. He had some objections to the details of the measure, which he would bring forward when the Bill was in Committee. In the first place, he was of opinion that there should be some provision to prevent the Government from calling Civil servants to the Upper House and making them Ministers. He believed that most of the evils which they now laboured under arose out of that system having prevailed. The 3rd subsection of the 5th clause was absolutely unnecessary. It was to the effect that no officer of the Army or Navy was to hold a seat in the House. He thought half-pay officers who came out to the colony to settle here should not be excluded from Parliament; but at the same time he was equally certain that no Army or Navy officer who was merely visiting the colony temporarily should be allowed to have a voice in the government of the colony. He might say the same thing with regard to the 4th subsection of the clause, which appeared to him to need modification. In subsection 3 of clause 8 it was provided that any contract for printing or advertising was not to be considered as disqualifying a person from sitting in the House or the other Chamber. He thought that provision should also be struck out, because such a contractor as was here referred to might be the most dangerous contractor of all. Those were the main remarks which he had to make at present. The improvements which had been introduced into the Bill at the instance of the honorable member for Akaroa he would consider when they were in Committee. He hoped the House would read the Bill a second time.

Mr. MANDERS said he was not in the House when the honorable member for Akaroa spoke in regard to the objections against members holding office which had been referred to. It was at the instance of the honorable member for Akaroa that clause 6, which disqualified any person who had been a member of the House from being appointed to any office under the Government for six months after he had ceased to be a member, was inserted, and he believed that it was brought forward in consequence of party feeling. It was brought forward, he believed, to injure an honorable member's claim. That honorable member's name had been often bandied about. When they went into Committee on the Bill he would express his views at greater length, and endeavour to get this clause excised. He was aware such a veto existed in Acts in two other colonies. But such a clause as that limited the Government in their choice of men for public offices. He was of opinion that such a provision should find no place in the Bill.

Bill read a second time.

PUBLIC WORKS BILL.

Mr. RICHARDSON, in moving the second reading of this Bill, said he did not propose to enter into the details of the Bill. It must be admitted on all sides that a Bill such as this was necessary. He thought that the discussion on the various clauses would take place very much more conveniently in Committee. A debate had already taken place on the previous Bill, which was almost identical with the present one. Great care had been taken in drafting this Bill to allow for the various provisions which were contained in the Acts which it proposed to repeal. He moved the second reading of the Bill.

Mr. DIGNAN said it would be within the recollection of honorable members that a few weeks ago he asked the Minister for Public Works a question regarding the Kaipara Railway. The only answer he got to that was, that the honorable gentleman would deal with the matter in his statement of public works. That statement had been made, and he was just as wise now as he was when he first put the question. He would ask one simple question now—namely, Was it the intention of the present Government to construct the railway from Auckland to Kaipara?

Major ATKINSON.—Yes.

Mr. REES was glad to hear that that was the intention of the present Government, because it had also been the intention of the two previous Governments, but they had never carried out their intention. He hoped, however, that the present Government would do the work. He would oppose the second reading of the Bill for several reasons, the chief of them being that it brought the County Councils into operation whether they liked it or not. Several sections of the Bill provided that work should be done by the various County Councils compulsorily. Then the County Councils would have with all convenient despatch to make surveys for the purpose of draining, which surveys they would have to forward to the Government. The expense of that would be at least £1,000 to each county. He did not propose to take up the time of the House in arguing the question; but he wished to point out that, in section 13, County Councils were compelled to send in yearly reports of their expenditure—that was whether they were brought into operation or not—within the counties. Then they would have to keep their officers; and though they declined to act, they would be compelled to send in yearly reports. Then there were clauses which would compel the County Councils to sit whether they wanted to do so or not. The work marked out for the counties in this Bill would entail upon them very great expense. Then subsections 10 and 11 of section 95 were just the same. The County Councils were, after giving not less than ten days' notice, to hold a meeting. Meetings of the Councils were provided for as if the people lived within a radius of 100 yards, and could be called together in an afternoon; whereas in most cases they would have to travel hundreds of miles over country where there were no roads to attend these meetings. Then in section 119,

there was another work for the Council to do. If the County Council were of opinion that any toll-gate was not necessary, or that the road in respect of which the tolls were taken was not kept in proper repair, or that the tolls were excessive and unduly burdensome, the County Council might, after due inquiry into the case, by an order publicly notified, abolish such toll-gates. So that it might interfere with the Road Boards and take away all the tolls if it chose. That was a very improper thing to do, because there were many Road Boards which could not do without the tolls. If it was necessary to deal with these matters at all, power should be given to the Road Boards to do it. All these things could be done under the present law. Any Road Board could abandon any toll-gate within its boundaries. In sections 170 and 172 the same thing was carried on:—

“If a Road Board desires to drain any of the lands within a road district, such Board may cause plans to be proposed showing the course, dimensions, and levels of the drain proposed to be made, and may lay the same before the County Council, who may approve thereof.”

Then every County Council—and he would direct the attention of the Council to this, because it would give to the Government a splendid system of surveying all over the country, but would entail upon the Road Boards an expense of at least £150,000:—

“Every County Council shall, as soon as conveniently may be after the passing of this Act, cause to be prepared a drainage map of the county, on which shall be shown all the public drains within the county, with the levels and gradients thereof, referred to a datum plane thirty feet below the average level of the sea.”

If the County Councils had to perform that duty, it would entail upon them an amount of work which no member of the House could forecast, and which would swallow up all the rates of a district for two or three years. A plan must be prepared, and must be lodged during reasonable hours at the office—so that every County Council must have an office—and whatever the cost might be, any person under the authority of the Minister, or any Road Board within the county, might cause a copy to be made of any part of such map. Then the 14th subsection of clause 150 gave the County Council power to do certain things for the drainage of the country; and all these things must be done whether the Counties Bill was brought into operation in the district or not. Then in sections 176 and 177, they found the same thing. Again, according to section 176, whenever a drain ran through two counties, the Minister for Public Works had power to order its construction; so that, if there were half a dozen counties, and one county thought a drain ought to run through them, it might compel all the other counties to be put to an enormous expense without their consent being obtained. Then section 177 directed that the cost of such drainage was to be divided amongst the County Councils. It was simply a system of vesting the whole power of the government, not in the local bodies, but in the General Govern-

ment itself. The local bodies were to be compelled to bear a certain burden to carry out all this work; and, although their consent might not be obtained, they could not escape from the expense. Once the machinery of the law was put into operation, they were to be compelled to undertake these duties under certain pains and penalties. Then, again, there were 105 of the existing Acts repealed; and although the Minister of Justice had said that the matter had been very carefully gone through, he would defy him, or any other honorable member, to say what the effect of repealing all these Acts would be. His own opinion was, that they would repeal very many useful powers which would not be given effect to under this Act. He would point particularly to Part VII., under which any private person might get a drain passed through another person's private land, a work to which all sorts of expenses were attached, and yet there was no power of redress. The effect of bringing the Act into operation would be simply ruinous to the persons concerned, excepting of course the Government, and there were new powers and responsibilities given to the Government and to the Governor in Council. If honorable members would look at the Bill, they would see that some of the clauses had as many as fourteen subsections; and in addition to them, power was given to the Governor in Council to make regulations of every sort. He felt sure it would be found, when the Bill was brought into operation, if ever it was, that something had been omitted—something which was required for the public welfare. He opposed the second reading on the ground that at this stage of the session it was utterly impossible to consider it properly in Committee. It would take at least three weeks or a month to give the matter the consideration it should receive, and to go through all the repealed Acts to see that everything of value had been saved from them. The Bill could not be considered under that time. There was no imperative necessity for passing the Bill this session. If they were simply to read the marginal notes, and hurry it on in that way, it might be passed and become law; but if it was to be properly considered, if members representing constituencies, or who were supposed to represent constituencies, were properly to consider the powers to be given to the Ministry and the powers to be given to the local bodies, it could not be got through Committee in a month. Of course, any one who objected to the Bill being rushed through in that way would be accused of wasting time; but a Bill affecting private and public property, and the responsibilities of individuals and communities, ought to receive something like proper consideration. And then they were to have the Loan Bill, which must be gone on with, and the Waste Lands Bill, though he did not know whether the Government intended to press that Bill through also. It was simply a mockery to say that they were come to the end of the session if these Bills were yet to be gone through. He would ask the Government whether it would be absolutely necessary to pass this Bill, and

whether the work of the country could not go on under the old Acts, which surely were as good as this one? They might be cumbersome, but they had worked under them for years. The profession and the public knew where to find them and how they operated; and it would be much better, under the circumstances, to leave things as they were. He should oppose the Bill. He would not attempt to canvass the clauses in Committee unless he did it thoroughly from beginning to end; and he knew that he would then be accused of wasting the time of the House.

Major ATKINSON said it was no doubt unfortunate that the Bill had been delayed to so late a period of the session; but it was absolutely necessary that it should be passed, because, if it were not, the counties would have no powers under which to act. If it were not for that, the Bill might be postponed till next session, but he would point out that the Bill had been most carefully considered by the other branch of the Legislature—a body which invariably paid great attention to any Act affecting property. The honorable gentleman, therefore, might rest assured that property would not be injuriously affected by the Bill; and it was absolutely necessary that they should have this Bill, in order to enable the county system to work. He thought, seeing the Bill had been drawn with very great care—his honorable friend the Minister for Public Works had bestowed months of consideration upon it during the recess—it might be allowed to pass the second reading.

Mr. OARRINGTON thought it was generally known in the House that he was a staunch supporter of the Government and of abolition; and he was so because he did not think New Zealand required ten Legislatures now that it had steam and telegraphic communication. As he said at the time, when speaking on the Abolition Bill, he thought it would be well to consider what their future Constitution should be; and it occurred to him that they might as well have governed the country for one year with the existing Road Boards, Municipalities, and Provincial Executives, and they could by that means have discovered what was the best course to pursue. If it was possible to do without the Counties Bill or the Public Works Bill for another year, he was quite satisfied in his own mind that it would be the wisest course to pursue. He said very few words in that House; but probably he thought more than a good many members gave him credit for.

Mr. ANDREW said they were told just now by the Prime Minister that this Bill was prepared as long ago as the recess. He saw that the Bill repealed "The Immigration and Public Works Act, 1870," under which the Agent-General was appointed. It seemed, then, that as long ago as the recess it was contemplated to do away with the Agent-General. He would like to know under what Act the Ministry intended to continue the appointment of Agent-General.

Mr. REES said he had intended to point out that the saving clause was utterly insufficient. It would be found that not a quarter of the things done would be saved.

Mr. RICHARDSON, in reply, said that the

Agent-General was appointed under the existing Act of 1870. The proposed Bill saved the appointment. He hoped the House would pass the second reading; and, in going through Committee, a great many of the objections raised by the honorable member for Auckland City East would be found to be not very serious.

Mr. FISHER said that, as the borrowing powers were taken away in the Counties Bill, he would like to know where the money was to come from to carry out the provisions of this Bill.

Bill read a second time, and considered in Committee.

Sir G. GREY moved, That progress be reported.

Question put, "That progress be reported, and leave given to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	18
					—
Majority against	...	...	...	...	11
					—

AYES.

Sir G. Grey,	Mr. W. Wood.
Mr. Joyce,	<i>Tellers.</i>
Mr. Sheehan,	Mr. Rees,
Mr. Swanson,	Mr. Tole.

NOES.

Mr. Bowen,	Mr. Rolleston,
Mr. Fisher,	Mr. Stevens,
Mr. Hialop,	Mr. Tribe,
Mr. Kelly,	Mr. Wakefield,
Mr. Kennedy,	Mr. Whitaker,
Mr. Lumsden,	Mr. Woolcock.
Mr. G. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Gibbs,
Mr. Reid,	Mr. Wason.
Mr. Richardson,	

The motion was consequently negatived.

Progress was reported, and leave given to sit again.

NEW ZEALAND LOAN BILL.

On the motion, That this Bill be committed presently,

Mr. SHEEHAN said he hoped the honorable gentleman would not press on this motion. There were 324 clauses in the Public Works Bill, and surely he did not expect the House to go through with more work than that. He was satisfied that the Government could not expect this Bill to be passed through in the same manner as the Public Health Bill. The understanding was that the Loan Bill should be debated on the motion for going into Committee.

Major ATKINSON saw no reason why the debate should not be taken now. He supposed that there was no desire to make long speeches on the Bill.

Sir G. GREY would suggest that they should not take the discussion to-night. It would probably be a very long discussion indeed.

Mr. MURRAY trusted the Government would be satisfied with going through the Public Works Bill, which he thought was quite sufficient for one

morning's work. It was now past twelve o'clock, and he believed that if a thing was worth doing at all it was worth doing well. They really undertook more than they were able to do with advantage. He believed that if they postponed the matter the country would be a gainer.

Sir G. GREY hoped the Government would not press on this motion.

Mr. REYNOLDS said the Public Works Bill was to be committed to-night, and he saw no necessity whatever for pressing on this motion.

Mr. WHITAKER said the only object was to advance the Bill a stage. When this Bill was advanced a stage, they could go into Committee on the Public Works Bill, and the Government would not go on longer than the House desired. The Government were entirely in the hands of the House.

Question put, "That the New Zealand Loan Bill be ordered to be considered in Committee presently;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	9
					—
Majority for	...	...	...	...	25
					—

AYES.

Major Atkinson,	Mr. G. McLean,
Mr. Baigent,	Mr. Montgomery,
Mr. Barff,	Mr. Murray,
Mr. Bowen,	Mr. Ormond,
Mr. Bryce,	Mr. Reid,
Mr. Burns,	Mr. Reynolds,
Mr. Carrington,	Mr. Richardson,
Mr. De Lautour,	Mr. Seaton,
Mr. Fisher,	Mr. Stafford,
Mr. Fitzroy,	Mr. Stevens,
Mr. Gibbs,	Mr. Tribe,
Mr. Hamlin,	Mr. Wason,
Mr. Hialop,	Mr. Whitaker,
Mr. Hunter,	Mr. Woolcock.
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Johnston,	Mr. Andrew,
Mr. Kennedy,	Mr. Kelly.
Mr. Lumsden,	

NOES.

Sir G. Grey,	Mr. Tole,
Mr. Joyce,	Mr. W. Wood.
Mr. Sheehan,	<i>Tellers.</i>
Mr. Swanson,	Sir B. Douglas,
Mr. Thomson,	Mr. Rees.

The motion was consequently agreed to.

On the question, That the Speaker leave the chair for the purpose of going into Committee on the Bills ordered to be committed presently,

Sir G. GREY said he must go on to discuss the Loan Bill. He had hoped that he would have been allowed until next day to make up his mind, and consult his friends. He submitted that the whole thing was absolutely irregular and improper. The Government had promised that the Bill should be discussed on going into Committee. He had reason to think it had never happened before that a Loan Bill had been introduced without any member of the Government

stating a single word on the subject. He had imagined that some Minister would have explained the object of the Loan Bill, why such an amount was asked for, and only such an amount, and the mode in which it was proposed to raise it, and that he (Sir G. Grey) would have had an opportunity of replying. He believed the whole of this proceeding was without precedent, and he still hoped the Government would agree to bring the Bill forward in a proper manner—that upon a future occasion they would go into Committee, and that the Ministry would make a statement so that he might know exactly what points he was to reply to.

Major ATKINSON said the honorable gentleman would find it all in his Financial Statement.

Sir G. GREY submitted that was not the usual way of dealing with a Bill. Then, he supposed he must address himself to the question; and he felt that he had been very unfairly and very hardly treated. He could not do justice to a subject of such importance at that time of night. Would the Government undertake to carry the Bill no further until going into Committee of Supply, and then enable him to discuss the whole subject?

Major ATKINSON said he could not consent to the request of the honorable gentleman, who would have many opportunities afforded him for expressing his opinions, both in Committee and on the third reading.

Sir G. GREY would make such remarks as he could, and would do so under protest. He had now to consider the question of the authority under which these large loans had been raised. That was a very serious question indeed. He wished to point out that the loans of this country had not been raised by the inhabitants of New Zealand or by their representatives in the ordinary sense of the term. The Legislature which raised these loans had been imposed on this country without the inhabitants of New Zealand having been consulted. They had been raised by the General Assembly, consisting of three branches, two of these branches—the Governor and Legislative Council—nominated by the Crown, in no way chosen by the people of New Zealand and in no way representing them; while the other branch, called the "Representatives of New Zealand," did not really represent the people of this country either in point of numbers or in its particular members. There was no doubt that the loans had been raised by a House composed mainly of members taken from Taranaki in undue proportions, and from Hawke's Bay in undue proportions, and from other parts of the colony in the same way. There could be no doubt whatever that the loans had been raised unfairly, and been unfairly spent. They had been disbursed, to a great extent, for the benefit of particular places: nay, large portions of them had been disbursed for the benefit of particular individuals. So unjust had been the distribution of these loans that the Province of Auckland, with its large population, had not received anything like that share of the loans to which it was entitled, although its inhabitants were called upon to pay the same rate per head of interest

on these loans, and towards the liquidation of the principal, as the inhabitants of all the other parts of New Zealand. Not only was that the case, but, on the first occasion when the inhabitants were to feel the weight of this taxation, the Constitution of the country had been absolutely changed without the people having in any way been consulted in reference to that change, or in reference to the system of taxation which they would wish to be levied for the purpose of defraying these loans. In all other countries when a great constitutional change of this kind was made, the people would be appealed to fairly through their constituencies, and they themselves would have been consulted as to whether the Constitution under which were henceforth to live, and under which those loans were to be raised, was such as was conformable to their tastes, their wishes, and their customs. Now that had been carefully avoided here. It was known to all the members of the House, and to the country at large, that the Act taking from the people their Constitution was sent down to Parliament as a Money Bill by the Governor. It was then passed with the indication that his assent would be given to it. His assent was pledged to it from the first instant, so that the whole weight of his authority was thrown in favour of the Bill. Then it was carried to another nominated branch of the Legislature. It was passed there, and then assented to by the Governor. After that, it was transmitted to Her Majesty, without any fair explanation whatever as to what had taken place; but, on the contrary, with a direct assurance that it would not be forced on this country until the inhabitants of New Zealand had had an opportunity, by their constituencies, of declaring whether they would or would not accept it. Now what took place was a sham, because a clause had been forced into the Bill which brought it into operation on a certain day unless it was repealed; and it was perfectly well known to all, that even if this House had rejected the Abolition Bill, there was no chance of getting the measure modified or repealed in another branch of the Legislature. The inhabitants of New Zealand had no power whatever to enforce that being done. The position, therefore, in which they stood in reference to these loans was this: that Great Britain was quite as much responsible for them as the inhabitants of this country. In fact, Great Britain was more responsible for them than the inhabitants of Auckland were. He should have wished to have argued this point at length, and to have shown that such was the case; but, forced as he was, suddenly, at such a late hour of the night, and, as he would say, unfairly, to speak, he could not adduce all the arguments which he should have desired to have brought forward on this occasion. He would still protest, and in the name of the inhabitants of Auckland he did protest, against this loan and against the past loans that they were not responsible for the payment of the principal of these loans as a whole, or of the interest on them. He thought it was just that an arbitration should take place, to determine as to what part of the principal and interest on those loans Great Britain was responsible for,

under the system enforced upon this country; and in the name of the people of Auckland, and on behalf of their descendants, and those who might hereafter occupy the country, he now protested that it was unfair, and that it was not right to call upon them for payment of the interest or the principal of the loans, until a fair and just arbitration should take place to settle what proportion Great Britain was in justice compelled to pay, and what proportion should justly and fairly fall on the people of the colony and the people of each province. Having entered that protest, it would be known to all persons, now and hereafter, who intend to lend money to New Zealand, that such a protest had been made—that such a right had been maintained—that such a right could be enforced when time and opportunity came. He contended that the conduct of the Government towards those who wished that a fair discussion should have taken place on this measure made him feel more completely the great injustice which had been inflicted upon him. He protested, therefore, against the past conduct and against the present conduct of the Government. He simply declared that he recorded his protest, which he made that night on behalf of the people of the Province of Auckland.

Mr. REES did not intend to make many remarks to the House on this subject, but he considered that the Government would have been wise, and that it would have been expedient and just, not to have gone on with the discussion to-night, but in the day-time, when members would have been able to take part in the discussion, if any discussion had arisen. He did not know when the system of borrowing was to come to an end in New Zealand. He believed that, under the present system, it would not end so long as they got persons to lend them money. It seemed to amount to that. He was of opinion that the Ministry might well have invited discussion before they asked the House to give them authority to borrow an additional million of money, and which discussion should have taken place on the Supplementary Financial Statement of the Premier, in relation to the borrowing of this money and the expenditure of it. He thought the Government would see that they had not acted wisely in not giving a few hours, in order that any member who wished to do so might discuss the subject of these loans—that they might do so at the proper time and in a proper spirit. He thought the step which the honorable member for the Thames had taken to-night would meet with the people's approval. Some honorable members might smile, but these were not smiling matters at all. There was no doubt that the expression of opinion of the honorable member for the Thames would be indorsed by the people of Auckland; the honorable member for Waikato knew as well as he did that that opinion would be indorsed by a great majority of the people of Auckland. The people of that province believed that they had been dealt with unfairly in the past and in the present, and that there was little prospect in the future that they would be dealt with fairly by the Government in relation to this borrowed money. The protest

of the Superintendent elected by the whole people, and representing them in a way in which no other person could be said to represent them, would be felt by the people of Auckland as a protest on their behalf in relation to their liability, their willingness or unwillingness to pay until a fair arbitration should be made. They would feel that his statement was one entitled to consideration, and would weigh very considerably with public sentiment in relation to the borrowing of money. If there was likely to be strife or contention, or unwillingness, to use the mildest term, it was unlikely that any persons would have the same confidence about the matter as if they knew that they were dealing with those who were unanimous in feeling and consistent in their conduct. The people of Auckland, and some honorable members from Auckland, were now beginning to find out that their position under this new scheme would not be cared for. He was afraid they would all find it to be so. He did not wish to make any threat, but he could assure the Government that they would find it to be a very difficult matter, if the people were utterly unwilling and utterly determined to oppose the allocation of the debt—they would find it a difficult thing to wring from them the taxation necessary to pay the interest and principal of the debt. The members from Auckland had not, he was sorry to say, been unanimous upon the subject. Being himself a representative of a district which had no favour to ask, he had asked for nothing since he had taken his seat in Parliament, and did not suppose he would have to do so. Still, his district contained a large tax-paying community, who had not received any borrowed money and were not likely to receive any. It was not probable, therefore, that when things of this sort were done he would let them pass. He did not suppose the Ministry had done it to annoy the honorable member for the Thames; but they had shown a want of care and consideration in the matter, and it was not probable that would lead to greater unanimity than at present existed. On the contrary, it was likely to lead in the opposite direction. The Bill would no doubt go into Committee; but the Ministry would see that it would be easy for any two or three members even to stop the business on many of the points that would arise. If they gave way, Ministers must understand that it was because they desired, even while these wrongs were going on, not to tie up the hands of the Ministry in regard to obtaining money, or to cast a stumbling-block in their way in carrying on the business of the country. Seeing that it would be so easy to take such a course, and that members like himself were not attempting to interpose difficulties in the way, he was astonished that the Government were not willing to meet the reasonable proposition of the honorable member for the Thames in regard to carrying on the public business.

Major ATKINSON would like to point out that there was a fallacy running through the arguments of the honorable member for the Thames and the honorable member for Auckland City East, with regard to the expenditure of these loans. The honorable member for the

Thames apparently did not understand the nature of the business. There was no question that the loans which were now being expended were not costing £4 4s. per head to the community all over the colony. Auckland paid very little indeed. The loans were a direct charge upon the provinces in which they were spent; and by the time the railways in Auckland, which were now under contract, and for which the Government had taken votes, were finished, Auckland would have had her full share in proportion to her population and means. Honorable members must acknowledge that it was right that all portions of the colony should benefit according to their population and income; and it was quite unreasonable to suppose that one portion was to get the advantage of the expenditure while another bore the cost of that expenditure. He was certain, that if they analyzed that expenditure, it would be found that if there was any inequality, which he did not think would be the case, it would be found to be in favour of Auckland rather than against that province. If that were found to be the case, it would be quite right to make an adjustment. The House would no doubt under any circumstances do justice to Auckland. With regard to the way in which the Bill was brought on that night, the honorable member for the Thames said that he was treated unfairly—that he had not had time to consider his arguments. He (Major Atkinson) submitted that the Bill stood in such a position on the Order Paper that any honorable member might reasonably have expected it to come on at any time. When he moved the second readings of the three financial Bills, he invited the House, and the House consented, to take the discussion upon the Financial Statement. It was on that understanding that the House allowed him to move the second reading in the way he did, because the whole of these questions were raised in the Financial Statement. The Government could not, therefore, be accused of hurrying on this Bill unduly. The House was desirous that the Government should push on the business without delay, and ample opportunity had already been given for discussing these measures.

The House then went into Committee on the Bill. Progress was reported, and leave given to sit again.

The House adjourned at twenty minutes to three o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 24th October, 1876.

First Readings—Second Readings—Third Readings—Native Reserves Bill—Diseased Sheep Bill—Debtors and Creditors Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Financial Arrangements Bill, the Intestate

Native Succession Bill, the Otago and Wellington Tolls Bill, the Auckland Public Buildings Bill, the Gold Fields Act Amendment Bill, the Gold Fields Act (No. 1) Repeal Bill, the New Zealand Loan Bill.

SECOND READINGS.

The Wellington Hospital and College Reserves Bill.

THIRD READINGS.

The Waitara Harbour Board Bill, the Foxton Harbour Board Bill, the Counties Bill.

NATIVE RESERVES BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it would be in the recollection of honorable members that, in the year 1873, an Act known as the Native Reserves Act was introduced into the Council after having been previously passed in the House of Representatives. That Act dealt comprehensively with the whole question of Native reserves, and in respect of their classification it appeared to him to have succeeded to a very great extent. When that measure was read a second time in the Council it was referred to a Select Committee, and after receiving careful consideration the amendments which were recommended by the Committee to be made were adopted by the Council, and the Bill was then passed nearly as it was modified in Committee. Amongst the most important of the amendments effected by the Committee was that one which now stood as clause 7 in the Act of 1873. In the Native Reserves Bill, as it came to the Council in 1873, there stood as clause 16 a provision for a Committee of Advice, composed of Native chiefs who were to be the guides of the Commissioner in dealing with questions relating to Native reserves. By the Select Committee it was recommended that that clause should be erased, and that the clause which now stood as clause 7 of the Bill should be inserted. It was as follows:—

“In every district created under this Act there shall be elected by the Natives resident in the district from amongst themselves, in manner to be regulated by the Governor in Council, three persons as Assistant Commissioners, who, together with the Native Reserves Commissioner appointed as hereinbefore mentioned, shall form a Board of Direction for the administration of the Native reserves in such district. Of every such Board the Native Reserves Commissioner, appointed as aforesaid, shall be the chairman.

“The Native Reserves Commissioner shall from time to time, as he may deem desirable, call a meeting of the Board, who shall, by a majority of its members, decide on all matters connected with Native reserves in the district for which they are constituted; and no sale, lease, or exchange of any Native reserve shall be effected without such decision being first obtained and recorded upon the minutes of the meetings of the Board.”

It was held—and the doctrine had his personal sympathy—that there was an opportunity afforded by this provision of interesting the ablest and most intelligent of the Natives in the man-

agement of their own affairs, and that, by associating them with a Commissioner on these Boards, they would receive a certain education which might be very useful to themselves and to the country. But it did not appear that that Act was ever practically brought into operation. The districts which the Governor was authorised to make and proclaim by the Act were not so made, and consequently the Act, to that extent at least, had remained in abeyance. The Government appeared to have been moved, in their dealing with this question, by two considerations. One of them, and the chief, might be said to be stated in the memorandum by Mr. Mackay, Commissioner of Native Reserves in the South Island. He would quote two passages from this report, as showing the chief objections which were raised departmentally—if one might so term it—to the making of districts, and the bringing of this part of the Act into operation. Mr. Mackay said,—

“By section 7 a Board of Commissioners is created, without whose consent no dealing can be effected with any portion of a Native reserve; and clause 19 superadds the necessity of the assent of the Governor being obtained to validate all dispositions of land that may be agreed on by the Board, thereby creating further difficulty and delay in the transaction of business, besides troubling the Governor and his Advisers with matters of local character, of which they can have but little knowledge, however clear the circumstances of each case are explained; while, at the same time, it lays the Government open to the accusation of favouritism in event of a lease being sanctioned in favour of a political supporter, in preference to a person holding opposite views. . . .

“Another grave objection is the constitution of the Board of Management. Besides opening a way to private designs, it does not effect the object in view—i.e. to give the Natives a voice in the management of their property. It would simply clothe A, B, and C, of the Native race, with the power to deal arbitrarily with the property of tribes to which they neither belong, nor have any sentiment in common with. Had the Act of 1873 been brought into effective operation, this intermeddling with lands of other tribes by the Native members of the Board would have had the effect of rousing tribal jealousies; the Natives, as a race, being most impatient of interference in regard to landed property.”

This was what might be called the general objection from the departmental point of view. There was another objection which he might define to be of a special character, and which existed itself in the form of certain local interests upon which, from the point of view of the persons interested, it was declared that the Act would operate very unfortunately. A petition was presented to the Government shortly after the passing of the Act from a number of leasees interested in the property known as the Greymouth Reserve, pointing out the danger to their own interest and to the progress of the district which might result from bringing the Act into force in that particular district. The settlers on the Greymouth Reserve numbered about 400, and the improvements they had made

upon allotments—which they held under lease for twenty-one years—were represented as being very considerable. These improvements might probably be valued at £40,000. It was said that there was an understanding implied—implied, he believed, because he was not able to find any direct or positive proof of this understanding, though its existence was asserted on the one side, and was not denied on the other—with these leasees at the time of their first occupation of the land, that they would be entitled to a renewal of their leases. It was feared or asserted—he supposed upon sufficient grounds—that if this Act were brought into operation and a Board of Natives constituted, those promises could not be fulfilled, inasmuch as the Natives directly interested in the land—who numbered about twenty—were unanimous in their declaration that at the termination of the existing leases no renewal would be granted. He did not indeed know whether this fear had a sufficient foundation, but there was no doubt that it was very general amongst the leasees, and they had, at least, the testimony of Mr. Mackay that it was not wholly without foundation, because, he believed that, it was upon his recommendation chiefly, that portion of the Act was not brought into operation. No doubt, there was a good deal to be said in favour of giving the leasees of the Greymouth Reserve—the land forming a very large and important portion of the township—such a length of tenure as would be an inducement to them to put up a better and more substantial class of buildings than the flimsy and slightly-constructed edifices which usually graced a new gold fields town in process of development. The necessity of taking some action in this matter had been pressed upon the Government from several directions. Honourable gentlemen who represented the district were very anxious that a consideration of this question in the interest of their district should be had, and accordingly this Bill had been prepared; and in the absence of his honorable colleague the Native Minister from another place, through illness, he had undertaken to take charge of it, and to introduce it into the Council. It proposed to extend the classification of Native reserves made in the Act of 1873; also to abolish the Board of Commissioners which was intended to be constituted by the Act of 1873, and to repose in the Commissioner the power—independently, or subject to appeal for the consent of the Natives in certain cases—of dealing with those reserves, a power which he was to have simply as a member of the Board in conjunction with other members under the Act of 1873. It made another proposition also in the 6th clause, providing for giving extended leases of land for building purposes; and in the 7th clause a very important proposition was made to give authority for converting a leasehold tenure into a fee-simple in consideration of a rent charge which should be perpetual. Those were the most important provisions of the Bill to which he wished to direct the attention of the Council. The changes were very important, as they were the reversal of a policy which, as he had said, after careful consideration, was accepted by the Council two years

ago. He thought, if the Bill were read a second time, it would be proper on this, as on a former occasion, to refer it to a Select Committee, in order that evidence more precise than he had been able to give in the introduction of this Bill, as to the necessity for the proposed alteration, should be obtained.

The Hon. Mr. NGATATA said that he had something to say in reference to this Bill, because he heard it repealed the Act of 1873. The Hon. Dr. Pollen said that the Act of 1873 was assented to by the Council. He spoke now, because this matter had reference to the Natives. If it had been a Bill referring to European lands, he would not have anything to say. This Bill had reference to the other island, but it was to have an influence over this island as well. His feeling with regard to this Bill was that he would not consent to it at all, because it had an influence over all the Native lands, and the Natives held a great many lands. The Act of 1873 was a very good Act, and Native Commissioners should be appointed to control their own reserves. It was not right that only Europeans should have control over the reserves, because those lands belonged to the Natives. According to this Bill, it was robbing the Natives of their lands. It was taking the land, and shifting the Natives off. The Bill was not at all clear. He saw nothing good in it as regarded the Maoris. He had not seen anything so bad introduced this year against the Maori race. There were different laws for the Europeans and the Maoris. The Maoris were excluded from having anything to do with their own lands, and only the Europeans had a voice in the matter. Therefore he would say to the Council, Let the thing be properly done. This was the House that introduced the Bills. He considered that this was the House which had the greatest authority. He thought his position in that House was that he should look after the interests of the Natives, and see that they had justice done to them. He was not able to speak much to-day, because he was not well; but let other members speak. He moved, That the Bill be read that day six months.

* The Hon. Mr. WATERHOUSE said that although he was not prepared to suggest the adoption of so decided a course as that which had been proposed by his honorable friend Mr. Wi Tako Ngatata, yet, that course having been proposed, he should feel it his duty to record his vote in favour of the honorable member's proposition. His honorable friend the Colonial Secretary had given them a very fair, impartial, and he believed correct account of the Act of 1873; and after hearing that account, he believed honorable members could arrive at no other conclusion than that they were not justified in passing a Bill virtually repealing the Act of 1873, until that Act had been brought into operation. The object of the Act of 1873, as stated by the Colonial Secretary in introducing the Bill into the Council, was amongst other things to accustom the Natives to the management of their own affairs. The honorable gentleman on that occasion told the Council that there was a provision under which Natives interested in reserves

should be associated with the Commissioners appointed in their special districts. The Bill in the form in which it was introduced was not acceptable to many honorable members, and was especially unacceptable to his honorable friends the Maori members. Those honorable gentlemen took action in the matter, and the result was that the Bill was referred to a Select Committee of the Council. In that Select Committee they were favoured with the attendance of the Hon. the Native Minister, as he thought the Colonial Secretary would remember, and many details of the Bill were considered when that honorable gentleman was present; and unless his memory strangely misled him, the Hon. the Native Minister himself was a concurring party to the action taken by the Committee in constituting a Board of Commissioners to be presided over by a European, but of which the members, with that exception, should be representatives of the Maori race. He believed his memory did not mislead him in this respect; but, at any rate, that view was adopted by the Committee. It was adopted also by the Council, and the amendment was accepted by the other branch of the Legislature. The Bill, with these important provisions, passed into law, and for the last three years that law had remained upon the Statute Book. If at any time during the last three years any honorable member of the Council had been asked what was the law affecting Native reserves, he would naturally have turned over the Statute Book, and from the Statute Book he would have declared what the law was; but if he had done so, he would certainly have fallen into a great mistake. Although the law had been on the Statute Book for the last three years, it had not been brought into operation. It was not a permissive measure the Council passed; it was as much imperative on the Government to carry into effect that law as it was imperative upon them to carry into effect any other law the Legislature passed; and yet, in spite of that, for three years that law had remained a dead-letter, and, as admitted in the present Bill, had not been brought into operation. It would appear that, on the 11th July in this year—that was, nearly three years after the passing of the Act—an application was made by the Native Department to Mr. Mackay to prepare an amendment of the Act. Mr. Mackay prepared that amendment in thirty-five days, and it was now before them in the measure which they were asked to read a second time. He gathered from Mr. Mackay's letter that the Act had not been brought into operation because it was anticipated that there would be opposition, on the part of the Native Commissioners, to the view taken by the Native Reserves Commissioner upon various important matters. It was possible that that would have been the case, it was possible that complications might arise; but it was not for the Government, nor was it for the Native Department nor any other department of the Government, to decide upon a question of policy that had already been decided upon by the Legislature. The Legislature determined that there should be a Board

of Commissioners, of whom all, with the exception of the Chairmen, should be members of the Maori race, and it was the bounden duty of the Government to give effect to that law. The Native Department should have yielded to that decision of the Legislature, and they ought not to have taken upon themselves the duty of refusing to give effect to an Act because they disagreed with the policy upon which that Act was founded. He would not say whether the view which the Native Department took of the probable effect of the Maori members being on that Commission was a correct one or not. As far as he had seen of the Maoris, he was bound to bear evidence in their favour to this extent: that they were as a people a very fair dealing race, and he would as soon trust himself or his interests to a number of Maoris taken indiscriminately as he would trust his interests to a number of Europeans taken indiscriminately. He did not wish to inquire whether the view taken by the Government was a correct one or not, but what he did say was this, that, whatever view they took, it was not right for them to refuse to carry out the intention of the Legislature. It was their bounden duty to carry out the law of the land. If they disapproved of that measure, there was a constitutional means open to them, as the Governor possessed the right of veto; but if the Governor did not exercise that veto, then no other course was open to them than loyally to carry it into effect. With reference to this Bill, he would at once state that he had not taken the trouble to go through it. It was no use going through a Bill if they did not know when it passed into law whether it would be carried out or not, and that was what he felt in relation to this legislation. If they passed a Bill, and for three years it was allowed to remain on the Statute Book without being brought into operation and without being given effect to, what confidence would they have in passing another Bill, and what guarantee would there be that it would not be treated in the same way? It appeared to him to be their bounden duty to express their dissatisfaction with the conduct of the Government in the past by throwing out this Bill. By doing so, he did not wish to give any expression of opinion as regarded the merits of the Bill, but wished only to indicate that he regarded with dissatisfaction the conduct of the Government in not giving effect to the Act of 1873, or in not earlier seeking to repeal that Act.

The Hon. Mr. MANTELL differed from the honorable gentleman who had just sat down in this respect. So far from not having read this Bill, he had read it very carefully, and considered its provisions. He had been prepared to give his support to the Bill; but, after the speech of the Colonial Secretary, he believed there were very few Bills that would come before the Council to which he would give the same hearty and conscientious opposition. It was not so much on account of the provisions of the Bill that he took this course as owing to the reasons the honorable gentleman laid before the Council for the adoption of those provisions. The Hon. Mr. Waterhouse said he had no confidence that this Bill

would be brought into effect any more than the former Act. The general inference to be drawn from the Colonial Secretary's speech was that in the case of the former measure there was a probability of a collision of certain European interests, real or supposed, present or prospective, which were protected in this Bill. He thought, therefore, that the Hon. Mr. Waterhouse might have thorough confidence that this Bill, if it were put upon the Statute Book, would, so far as those provisions were concerned, be carried carefully into effect. But the one point in the Colonial Secretary's speech which settled his convictions in regard to this matter was this: The honorable gentleman, if he heard him correctly, referred to some promises with regard to the interests of the leasees at Greymouth, or some reserve on the West Coast, where at present they were holding land on twenty-one years' leases, upon which they had erected buildings of a fabulous value, and the honorable gentleman spoke in the vaguest possible manner of there having been a sort of understanding by some person authorized for a renewal of the leases at the expiration of that time. He then went on to say that there were 400 inhabitants or leasees—he (Mr. Mantell) forgot which—interested in this matter, and on the other side a contemptible number of twenty Natives. Well, here was a question of a promise of the vaguest kind which it appeared they were called upon to put the Government in a position to carry out by altering legislation, which had been kept in abeyance, as far as they could make out, lest it should interfere with the power of the Government to give effect to this ghost of a promise. On the other hand, he could not forget, either then or at any other time, promises of far greater importance which had been made to the Natives, and had never been realized by the Government. The Council were never called upon to pass any Act to enable the Government to fulfil their promises to Natives of the Middle Island; and why? Simply because the Natives were few in number, and could not enforce their claims. He would have a chronic contempt for himself if, on the grounds on which the passing of this Bill was advocated by the Colonial Secretary, he were induced to give his vote for the second reading. He regretted that he was unable to go very fully into the subject. It was one of those matters which certainly aroused one's indignation to a very great extent, and he was sorry he was not quite well enough to go into it this session.

* The Hon. Mr. LAHMANN said that, coming from the place particularly interested in this Bill, he desired to say one or two words. He felt somewhat surprised that honorable members should object to the Bill, particularly on the ground that they had not read it, and because a former measure had never been acted upon. He had noticed some time back that a wholesale condemnation of certain Bills had taken place in that Chamber, but reasons were assigned which were more or less well founded. He had never yet heard a Bill opposed because a former Act had not been carried out. Of course, he could only speak from a Greymouth point of view as to

Native affairs. Whether this Bill would affect the Natives of the North Island or not, he was not prepared to say; but he could say that it was absolutely necessary, and in fact almost compulsory, that some Act should be passed to regulate the affairs of the lessors and lessees in the town of Greymouth. It had been stated, and was contained in the report of the Native Commissioner, that the people of Greymouth had invested very largely in buildings on Native land. It was not only, as had been said, to the extent of £40,000 that these investments had been made; but he could state, without fear of contradiction, that it was to the extent of £100,000. But what had been the state of affairs there? There was a time when the Natives had the leasing of the land in their own hands; but the Government stepped in, and rightly so, because designing people of our own race took advantage of the Natives, and made good bargains for themselves. But ever since then the Native Commissioner had arranged affairs between the lessors and lessees. What was the case, however? There were about 100 acres of land in the town of Greymouth which had been let to the people there, and it would be seen that the rent from those 100 acres amounted to from £3,000 to £4,000 a year. That, honorable gentlemen would admit, was a very fair rent, if not an excessive one. And what did the people of Greymouth desire? They did not require to have their rents reduced—they did not even ask for that; but they desired to be a little safer in their tenure. Hitherto the renewal of the leases by the Native Commissioner had been granted more as a favour, although at the very beginning a promise was held out to the tenants that the leases would be renewed from time to time. Latterly the leases had been renewed for a period of twenty-one years. Therefore it would be seen by honorable members that, in any case, there was a necessity for arranging the position between the Natives and Europeans in the town of Greymouth. As he had stated before, he was not prepared to say how far the Bill would affect Native reserves in the North Island, but he was positive that the question of the Native reserves in the Middle Island, or at least in the Province of Westland, required to be looked into by the Legislature, in order to give the occupiers of those reserves a more secure tenure than they at present possessed. It had been stated in the Council, and he thought also in the report of Mr. Alexander Mackay, that the uncertain tenure of the land had prevented the inhabitants of Greymouth from erecting more substantial buildings. If honorable members, however, were acquainted with that town, they would know that already very substantial buildings had been erected on the Native reserves; and if more reliable arrangements were come to between the Natives and Europeans, there was not the least doubt that most substantial and valuable buildings would be erected in the place. It should be borne in mind that the town of Greymouth was not entirely dependent on the gold fields. The resources of that district were so manifold, and the coal deposits so valuable, that there was every reason to

hope Greymouth would become the Newcastle of New Zealand before long. For those reasons he hoped honorable members would agree to the passing of this Bill, or at least the clause which referred to the leasing of the land in the town of Greymouth. He would be prepared to consent to any amendments that might be considered necessary, if only they could arrive at a more satisfactory arrangement between the Native owners and the European occupiers of the reserves in Greymouth.

The Hon. Captain FRASER was very sorry he could not support the amendment of his honorable friend Mr. Wi Tako, and he could not do so in the interests of a small portion of the Maori race. He was on the Public Petitions Committee when the question of the Greymouth Native Reserve came under consideration. It was before the Committee for several days; they had ample evidence upon it, and arrived at the conclusion that it would be a very dangerous thing to place that reserve in the hands of the Maori people, because they would sell the land, and their families and children be left beggars. The Committee formed the opinion that it was very desirable that sixty years' leases, with a fresh assessment at the end of every twenty-one years, should be given to those who were at present in the occupation of the reserves. For that reason he was bound to support this Bill as it stood; and he regretted, that in the interests of a portion of the Maori race, he could not support the amendment of the Hon. Mr. Ngatata.

* The Hon. Mr. BONAR trusted the Council would deal with this Bill with perhaps an exceptional amount of consideration, mainly owing to the fact that it had been introduced so late in the session, and that not through any fault of the Government, but chiefly, he believed, in consequence of the unfortunate indisposition of his honorable friend the Colonial Secretary. He thought that the proposal which had been made by the Colonial Secretary was one which would commend itself to the Council as being a more fair and equitable mode of dealing with this Bill than accepting the amendment of the Hon. Mr. Ngatata to postpone the second reading of the Bill for six months without any further consideration. In his opinion, the reference to a Select Committee, where the matters that had been alluded to could be more thoroughly dealt with, would be the proper course to adopt with reference to a measure such as this, which really affected not only the Maori proprietors of the reserve, but also a very large number of European proprietors and many important and valuable interests. He therefore trusted the Council would see its way to allow the Bill to go to a Select Committee, with a view of having the fuller inquiry which would be afforded by that means. With reference to the objections that had been taken to the measure up to the present time, he thought they really comprised only two questions. One was that named by the Hon. Mr. Ngatata, that the Bill interfered not only with lands in the Middle Island—to which he understood the honorable gentleman did not object—but also

with lands in the North Island; and the other point was that started by the Hon. Mr. Waterhouse, that because the Act of 1873 had not been brought into operation it was right that a protest should be entered against the action of the Government in that respect. He apprehended that neither of those objections would be considered sufficient to lead to the postponement of the Bill. With reference to the objection of the Hon. Mr. Waterhouse, he thought the honorable gentleman might be satisfied by testifying in his place in the Council his condemnation of the course that was adopted. That would be sufficient to relieve the honorable gentleman's mind of any responsibility as to being a consenting party to the Act having remained in abeyance; and he thought it should not be allowed to weigh against the very important interests which this Bill proposed to deal with. With regard to the question of the interference with lands in the North Island, he thought a perusal of the very valuable memorandum by Mr. Mackay, and also of the Bill itself, would convince honorable members—and if it did not, he was sure evidence could be procured that would—that only a very small section of lands in the North Island, and very few of the Natives there, would be affected by the operation of this Bill. He found, on reference to the Bill and to the memorandum of Mr. Mackay, that the Native reserves were classified into five different sections; and in page 2 of Mr. Mackay's report he found a recognition of the principle which was affirmed by the Act of 1873, and which was given effect to in the Bill now proposed to be read a second time. Mr. Mackay, in his memorandum, said,—

"The Assembly, in passing the Act of 1873, having declared its belief that it was advisable that the Natives should have a voice in the management of their lands, this right has been extended to them in the case of reserves of the fourth and fifth class."

Therefore reference to the Bill would show that a very large and important series of the reserves would still continue to be administered in accordance with the expressed wish of the Legislature. The parts of the reserves that were more particularly connected with the West Coast were those comprised in sections 2, 3, and 4; and he might say that handing those over to the Commissioner to deal with would affect to a very small degree any lands in the North Island, and would affect a very small portion of the population of that island. With reference to the lands in Greymouth, he thought he might be pardoned for quoting from a return laid on the table of the Council to show what was really the extent of the interests concerned. He found that during the year 1875-76 there had been no less a sum than £4,213 received from the rents of those reserves, and, as had been stated by the Colonial Secretary, this money had been received mainly for the benefit of about twenty or twenty-five Natives. The Council would see that a very large European population—upwards of at least 500 tenants—were affected by this question of the reserves. The question of the tenure they ought to hold had been a matter of very serious con-

sideration to all who were occupiers of those reserves for a number of years past, and efforts had been made in various directions to get that security of tenure without which no town could possibly progress. And he might say here that the larger part of the business portion of the town of Greymouth was built upon this Native land, and therefore it was that the matter was so pressing. He would further add, in connection with the occupation of these Native lands, that the lessees had gone to very considerable expense indeed in the shape of taxation and private subscriptions in order to preserve this Native property. Honorable members must be well aware of the very serious floods which occurred from time to time in the Grey River. They had cut away a very large portion of this Native reserve; and without very considerable expenditure having been incurred by the tenants, to which he believed the Native Trust only contributed to a very small extent, the whole of the property would have been rendered utterly valueless, and the Natives would not have been in receipt of the large rents they are now obtaining. He thought also that it was a matter of very considerable importance that engagements, whether made directly by agreement or implied by the Native Commissioner, should be maintained. This was borne out very fully by the Commissioner's report with reference to that matter. He said,—

"In the case of the tenants on the Native reserves in Westland, but more especially in regard to the tenantry at Greymouth, the above rule will have to be faithfully observed in respect of the implied right of renewal, as they have always been led to understand that a renewal of their leases would be granted them, at a moderately increased rent, at the end of the subsisting term, depending on the annual amount of rental hitherto paid. On the faith of this, they have erected substantial buildings and improvements to the value of over £40,000, besides raising money for town improvements. This last expenditure, coupled with the outlay needed for other municipal works, has necessitated their levying a tax equal to 10 per cent. on the annual value of their properties."

Then Mr. Mackay went on further to deal with that question, and with the proposed arrangement as to rentals. Now, although the Bill proposed to give leases for a very considerable period, still it was proposed that at the end of every twenty-one years the rentals should be re-assessed. Therefore the Natives would derive full benefit from the improvement of their property by the increased rentals they would receive, and the owners and occupiers would have had that security of tenure without which no town could possibly progress. Although, in the House of Representatives, and also in the Council, petitions had been presented from the Natives bearing upon this question, as the Hon. Captain Fraser had pointed out these matters had been examined very carefully, and reports by the respective Committees had been submitted favourable to the passing of this measure. That, he thought, was an additional reason for passing the Bill, and allowing the

matter to receive fuller investigation by a Committee. He did not wish to enter at any length upon the merits of the question, trusting that the Council would agree to the reference to the Select Committee, so that the matter might be inquired into; but he thought the appeal, if he might say so, of the Colonial Secretary, who did not feel equal to entering at great length into the subject, ought of itself to warrant the Council in passing the second reading of the Bill, and allowing it to be subjected to the investigation which was proposed. He would support the second reading of the Bill.

The Hon. Colonel WHITMORE would support the Hon. Mr. Ngatata in this matter, because he thought that the Act which was passed in 1873, after careful investigation, should be given a fair trial before it was repealed. He did not approve of their consenting to grant these lands without much better evidence than had been adduced to the Council that any such arrangement was ever entered into by a proper authority. As far as he had been able to see, the petitions which had been received from the Natives were all against the Bill, and he was bound to pay great deference to the opinion of the Hon. Mr. Ngatata, who he knew had treated the subject with great attention for some weeks, and had made, he was led to believe, every inquiry from people of his own race who were interested in the matter. That honorable gentleman had for some weeks been of opinion that it would be very undesirable to pass this Bill. There could be no justification for bringing in a Bill which dealt with the freehold property of persons of the Native race in the last few days of the session. It was not right that the Council should be asked to deal with lands that belonged to the Natives when there was so little time to consider the matter. It was not right to ask the Council to refer the Bill to a Select Committee at this period of the session; because it would be impossible for members, during the few days that the session would last, to do justice to the Bills, which were already before them. Under such circumstances he did not think he would be wrong in following the lead of the Hon. Mr. Ngatata. A Bill had been passed which had been strongly supported by his honorable friend Mr. Hart; but he did not think that honorable gentleman would have advocated it so warmly if he had thoroughly understood what he was doing. He thought that honorable members ought to refuse to enter into Bills of this kind at such a late period of the session, more especially when, as in this case, the existing law had not been put fairly on its trial.

* The Hon. Dr. POLLEN hoped that honorable gentlemen would consider well before they came to a decision on this matter. He trusted they would permit the Bill to be read a second time, and then referred to a Select Committee. The deliberations of the Committee need not occupy a long time. Mr. Mackay, who was an authority on the subject of these Native reserves, was now in Wellington, and if he were before the Committee he could, in a very short time, give the Committee a great deal more information and throw a great deal more light on the subject

than he (Dr. Pollen) could now attempt to do. He was advised that the extent of land which was affected by this Bill was very small. He was informed that, whilst the reserves which had already been made in the North Island amounted to considerably more than a million and a half of acres of land, the number of acres which would be affected by the operation of the Bill was not more than 5,000 or 6,000 at the outside. He hoped the Council would allow the Bill to be read a second time, and referred to a Select Committee. The Committee appointed last year consisted of the Hon. Mr. Waterhouse, the Hon. Mr. Bonar, the Hon. Captain Fraser, the Hon. Mr. Ngatata, the Hon. Mr. Taylor, the Hon. Mr. Hart, and himself. He would propose that the name of the Hon. Mr. G. R. Johnson, or of some other honorable gentleman, should be substituted for that of the Hon. Mr. Taylor, who was not now in the Council. The Committee might meet next day and take the evidence of Mr. Mackay.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	10
Majority for	...	...	...	...	7

AYES.

Captain Baillie,	Mr. Peter,
Mr. Bonar,	Mr. Pharasyn,
Colonel Brett,	Dr. Pollen,
Mr. Edwards,	Mr. Rhodes,
Captain Fraser,	Major Richmond, C.B.,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Mr. Scotland,
Mr. J. Johnston,	Mr. Stokes.
Mr. Lehmann,	

NOES.

Mr. Holmes,	Mr. Ngatata,
Mr. G. R. Johnson,	Mr. Nurse,
Lieut.-Colonel Kenny,	Mr. Paterson,
Mr. Kohere,	Mr. Waterhouse,
Mr. Mantell,	Colonel Whitmore.

The amendment was consequently negatived, and the Bill read a second time.

DISEASED SHEEP BILL.

* The Hon. Mr. HALL said the amendments made in this Bill by the other House were of a very important nature, and he thought it would be desirable to endeavour to arrive at some agreement on the subject in the usual way. He therefore proposed, That the Council do disagree with the amendments.

The Hon. Dr. GRACE thought the Council should agree to the amendments suggested by the House of Representatives. It was an unfortunate fact that, owing to the rough nature of the country on the east coast of this province, when once scab was introduced it was almost impossible to get rid of it. He owned sheep himself, and had found that his sheep, though he tried to keep them clean, generally got the scab about once a year from his neighbours' sheep. The Bill was, in his opinion, one which would

have a good effect, but at the same time it was questionable whether such extreme measures as were laid down in the Bill were necessary. He believed that if they were brought into operation a great many people would be ruined. He was, however, prepared to take his chance under the provisions of the Bill.

* The Hon. Mr. WATERHOUSE said he was quite satisfied that, unless some such Bill as this were passed, it would be almost impossible to stamp out scab. So long as there was scab in the country, there was the danger of the resources of the colony being seriously diminished. That scab could be stamped out of a country was quite clear, from what had taken place in other colonies. The scab law had been most beneficial to South Australia: in fact, scab had been completely stamped out there by means of it, and people who had hitherto derived no income from their sheep were thereby enabled to do so. In Victoria, scab was allowed to run rampant for many years, and the Scab Act was introduced there in the face of a great outcry from persons whose flocks were affected by scab. An Act on the subject of scab was only passed when pressure was brought to bear by those flockowners whose sheep were clean. The result of that legislation, however, was that scab had been stamped out in Victoria, and the same thing had occurred in New South Wales and Tasmania. In New Zealand, scab still existed to a considerable extent. This was especially the case in the Provinces of Marlborough and Nelson. It was the practice to send sheep from one province to another by steamer, and it would easily be understood that scab might be introduced into a "clean" province in this way. It was known that the sheep which were brought by butchers were frequently more or less suffering from scab. Only a few months ago the disease had been brought to this neighbourhood by some sheep which had been introduced in this manner. He believed that the amendments which the Council was now considering had been put into the Bill by some persons who were interested in the Province of Marlborough, and who were so short-sighted as not to be able to see that the Bill would really be for their own benefit. He hoped that the Council would not agree to the amendments, but that some arrangement would be come to between the two Houses, by which some legislation of a stringent nature might be agreed to—legislation which would have the effect not only of checking but actually of stamping out scab.

The Hon. Captain FRASER thought that if they opposed the amendments they would imperil the Bill. He thought they were making a great mistake in passing stringent Scab Acts. They did not want stringent Scab Acts; they wanted Magistrates who would do their duty. They had a very mild Act in Otago; but they stamped out scab, because the Magistrates did their duty.

* The Hon. Mr. HALL explained that he did not intend by his motion that, in the event of their being unable to agree with any modification in the amendments, they should lose the Bill; but he thought it was right they should make an effort in order to see whether a modification could

not be arrived at which would meet the views of the other branch of the Legislature, and also the views of the Hon. Dr. Grace, whose views he was sure they would be willing to give great weight to.

Question put, "That this Council doth not concur with the amendments made by the House of Representatives;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	10
Majority for					5

AYES.

Mr. Bonar,
Mr. Campbell,
Mr. Hall,
Mr. Hart,
Mr. Holmes,
Mr. G. R. Johnson,
Mr. Nurse,
Mr. Peter,

Mr. Pharazyn,
Dr. Pollen,
Mr. Rhodes,
Mr. Russell,
Mr. Stokes,
Mr. Waterhouse,
Colonel Whitmore.

NOES.

Captain Baillie,
Colonel Brett,
Mr. Edwards,
Captain Fraser,
Dr. Grace,

Mr. J. Johnston,
Lieut.-Colonel Kenny,
Mr. Lahmann,
Major Richmond, O.B.,
Mr. Scotland.

The motion was consequently agreed to, and the following managers appointed to draw up reasons for disagreeing with the amendments:—The Hon. Mr. Waterhouse, the Hon. Mr. Stokes, and the Hon. Mr. Hall.

DEBTORS AND CREDITORS BILL.

* The Hon. Dr. POLLEN, in moving That the Council doth not insist on its amendments of the Debtors and Creditors Bill objected to by the House of Representatives, said that the amendments in question were carried by the very small majority of two. Seeing that the necessity for legislation on this subject was admitted, he did not think it would be wise to imperil the measure by insisting upon the amendments which at the instance of the Hon. Mr. Hart the Council had been induced to adopt.

* The Hon. Mr. HART very much regretted that the reasons assigned on the part of another branch of the Legislature for dissenting from the amendments made by the Council most distinctly misrepresented the effect of those amendments. He was sorry for it, because the amendments were in print, and the reasons alleged were in print. He would read the reasons to which he referred. The first was,—

"That the said amendments alter the intention of the Act, and take the management of estates practically out of the hands of creditors to put them into the hands of officials."

Now, the amendments did not in the slightest degree touch the power of creditors to appoint a trustee in any case in which they chose to appoint a trustee, so that nothing whatever was taken out of the hands of the creditors by those amendments. He gave a practical denial to the first of these reasons. The second reason was,—

"That every provision necessary to prevent delay in the vesting and management of bankrupt estates was made in the Bill sent up to the Legislative Council, without interfering with the exercise of the profession of assignee by private individuals."

He did not understand what was meant by "the profession of assignee by private individuals." The vesting of estates in the Registrar of the Supreme Court, who could do nothing towards taking possession until such time as the creditors' trustee was appointed, was practically a delay in that which was necessary in the very first instance—namely, taking possession of the estate, and preventing it being wasted by nobody being concerned in the possession of it until the meeting of creditors. As far as he understood that reason, he must give a practical denial to it also. He would refer to the next two reasons presently, but would at once proceed to deal with the fifth reason, which was as follows:—

"That the system of official assignees was not found satisfactory in this colony; and that the principle of free trade in the profession of trustee, accepted by the legislation of last year, has not received a fair trial."

Now, the return which had been laid before the Council on his motion showed that in 739 out of something under 900 cases the official assignees administered those estates. In many of those cases the official assignees were appointed by the creditors themselves; and to say that the system was unsatisfactory was to say that which experience proved was inconsistent with fact. The words "the principle of free trade in the profession of trustee, accepted by the legislation of last year, has not yet received a fair trial," were absolutely without meaning or absolutely deceptive. He did not know what was meant by the principle of free trade in the profession of trustee. The creditors were authorized by the Act in existence to elect their own trustee if they pleased, and what was meant by "the profession of trustee" he did not understand in the sense of this reason. If it had any meaning—if it meant that the State would not accept trusteeship in any case, and that the State should not accept trusteeship in any case—what was the meaning and intention of those statutes passed by the Legislature which added so much to the powers of the Public Trustee? They actually put into his hands the management of the estates of absentees who had not been represented in the colony for ten years, and enabled him—very much to the benefit of those estates—to let them for a period of seven years. He mentioned this simply for the purpose of showing that the State did take trusts upon itself—trusts, it was true, where there was likely to be a profit on the estates, but it did not try to escape the duty cast upon it under the peculiar circumstances of the case. As he had stated briefly before, the State, in this case, interfered with the rights of individuals by suspending in the first instance, absolutely taking away in the last, the rights of the creditors against the debtor. Having done that, they were bound to take care that what the debtor had was divided among the creditors. To say

that was a private matter, and not an interference by the State with the estate of the debtor was what he did not understand and could not understand. He would also very briefly refer to the fact that the Government, in this case, was not representing the mercantile interest of the colony. In Otago, Canterbury, and Auckland the opinions of the Chambers of Commerce had been completely pronounced on this subject, and he believed that the merchants and bankers throughout the colony had but one opinion. Again, did the Government escape responsibility by the position which it had taken up as to trusteeship under this Bill? What difference could it be in effect that the Government should directly appoint the trustee or appoint an officer to appoint the trustee? If the trustee was appointed by the Registrar of the Supreme Court he was as effectually appointed by the Government as if he were appointed by the latter direct. He thought these were matters of reason and principle, and ought not to be overcome by reasons so slender, shallow, and superficial as those upon which he was now commenting. The third reason was—

"That the appointment of permanent official trustees in every judicial district in the country throws a responsibility on the State for the management of private business, from which creditors should not be relieved."

The answer to that had been given in the observations he had already made. A trustee appointed by the Registrar of the Supreme Court was actually appointed by the State. The inconvenience was that the address of such a trustee was not known to the creditor, which would not be the case with an official trustee. The next reason was:—

"That it would be necessary, in the event of official trustees being appointed, in order to secure the efficient discharge of their duties, that such trustees should receive a salary, instead of being paid by fees; and that it is not advisable to create another class of salaried officials."

He had not heard throughout the colony that such a necessity had been found to exist. They had no evidence of such a necessity before them this session; and in a matter so important as the passing of an Act which related to the arrangements between debtors and creditors, it would have been desirable, if such evidence existed, to place it before the Legislature. They had been informed that the existence of official trustees had caused a cost to the country of £600 a year in the appointment of an official inspector in bankruptcy. That official inspector in bankruptcy, one would suppose, would have made a report on the duties performed by him, and would have reported on the instances in which he had detected discrepancies in the accounts of trustees, negligence in their duties, or had otherwise beneficially interfered for the purpose of protecting the interests of creditors. There had not been a paper, or report, or evidence on the subject, that he was aware of, laid before the Council, and, for anything they had in evidence before them, the office of official inspector might as well not have existed. On this account he conceived the 4th reason was one that would not hold water, and he

thought the Government could give a fair answer to any demand for such an office. They could say, "If you want an official inspector in bankruptcy, his salary must be paid by means of a tax levied on the bankrupt estates." He had studied to be brief in his remarks, but he thought he had sufficiently disposed of the reasons given by the other branch of the Legislature. If this motion were negatived, he would move that managers be appointed to reply to the reasons.

Question put, "That this Council doth not insist upon its amendments in the Debtors and Creditors Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	17
Majority against	...	...	...	...	10

AYES.

Mr. Bonar,	Major Richmond, C.B.,
Mr. Hall,	Mr. Stokes,
Mr. Lehmann,	Mr. Waterhouse.
Dr. Pollen,	

NOES.

Colonel Brett,	Mr. Mantell,
Mr. Edwards,	Mr. Paterson,
Captain Fraser,	Mr. Peter,
Dr. Grace,	Mr. Pharazyn,
Mr. Hart,	Mr. Rhodes,
Mr. Holmes,	Mr. Russell,
Mr. G. R. Johnson,	Mr. Scotland,
Mr. J. Johnston,	Colonel Whitmore.
Lieut.-Colonel Kenny,	

The motion was consequently negatived, and the following managers were appointed to prepare reasons for insisting upon the amendments made in the Bill:—The Hon. Mr. G. R. Johnson, the Hon. Hon. Mr. Hart, and the Hon. Colonel Whitmore.

The Council adjourned at eight o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 24th October, 1876.

First Reading—Third Reading—Christchurch and Ahaura Mail Service—"Taranaki" and "Napier"—Civil Servants—J. Burns—Width of Tires—Whangaroa to Mongonui Telegraph—San Francisco Mail Service—Waste Lands Bill.

Mr. SPRAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Native Schools Bill.

THIRD READING.

The New Zealand Loan Bill.

CHRISTCHURCH AND AHAURA MAIL SERVICE.

Mr. KENNEDY asked the Postmaster-General, In the event of a coach service being estab-

lished between Christchurch and the Hanmer Plains, if the Government will establish a pack-horse mail service from the said Plains to Ahaura, *via* the Amuri Pass, if obtainable at a moderate cost? He would merely say that there was a considerable settlement taking place in the Upper Buller and Grey Valleys, which would be much benefited by more direct communication with the Amuri and North Canterbury District. He was reliably informed that a coach service was about being established between Christchurch and the Hanmer Plains. From there to Ahaura, a distance of sixty miles, a pack-horse service would, he believed, be obtained at a moderate cost. There was a mail-coach passing Ahaura daily, between Greymouth and Reefton; therefore the mail service referred to in the question would be of very great service to the settlers in that part of the country; and he hoped the Government would see their way to answer his question favourably.

Mr. WHITAKER said if a coach service was established, the Government would call for tenders for the service the honorable gentleman required. It would then be seen whether it could be performed at a moderate cost or not, and a decision would be come to.

"TARANAKI" AND "NAPIER."

Mr. STAFFORD asked the Commissioner of Customs, Whether he will lay before this House the papers connected with the inquiry into the condition of the boilers of the steamers "Taranaki" and "Napier"?

Mr. G. McLEAN said there would be no objection to lay the papers on the table.

CIVIL SERVANTS.

Mr. SWANSON asked the Premier, If the officers of the General Government are subject to the same restrictions and penalties for offences committed against municipal laws and regulations as the rest of the inhabitants? He would read a letter which appeared lately in an Auckland newspaper on a matter of considerable importance, but would leave out two or three lines which were not necessary to make the meaning of the letter clear. The following letter was read at a meeting of the Auckland City Council:—

"Auckland, 9th October, 1876.

"GENTLEMEN,—I respectfully make the following report:—On Saturday, the 7th instant, at about 10.30 a.m., Mr. Halliday, cabinetmaker, Shortland Street, called at the office to complain of a nuisance proceeding from and belonging to the police establishment in Chancery Lane. I went with Mr. Halliday to see the nuisance complained of, and he pointed the matter of complaint out. We went to the police establishment. I asked one of the constables if he would be kind enough to show me upstairs. He referred me to the sergeant-major, who went with us, and opened the door, and remained some time with us. I was desirous to find out the cause of the nuisance complained of, and where it proceeded from. I procured a screw-driver, and unscrewed two screws from the front of the seat, and was in the act of replacing them, when Sergeant Bulford desired

me to come with him. Mr. Halliday followed me, and we were shown into a room occupied by Inspector Broham, who, in a most indignant manner, demanded who authorized me to enter these premises. I said, 'I have come in my official capacity, and in the execution of my duty as officer appointed by the Local Board of Health,' when he jumped to his feet and approached me close, and, more like a demon than a man, said, 'D—n you, leave the premises.' I said, 'Mr. Broham, I asked permission to be shown the closet, as a complaint had been made about it.' He said, 'Who gave you permission?' I replied, 'The sergeant-major.' He said again, 'D—n you, leave these premises instantly, or I'll kick you downstairs. How dare you to enter on Government property?' saying to Sergeant Bulford, 'Remove this man instantly.' So I proceeded to go down stairs, when we were met by Sub-Inspector Pardy, who came running up, when Inspector Broham called out, 'Pardy, remove that man, and see that he does not enter on these premises again.' I said to Pardy, 'Don't lay hands on me; I will walk out.' I firmly believe I would have been assaulted and maltreated had not Mr. Halliday been present. I respectfully ask that an inquiry be made into this unfair abuse. If the head of the police establishment will give me such treatment in discharging my duty, the public will, in many instances, follow the same example.—I am, &c.,

"GEO. GOLDIE,

"Sanitary Inspector.

"To His Worship the Mayor and Councillors."

He might add that, although these were called the Government Buildings, they were the property of the province, and he did not think the General Government had ever paid any rent for them. The matter was of very considerable importance, for it would affect Government officers and Government buildings all over the colony. It was desirable to know whether Government officers were amenable to the law like other people.

Major ATKINSON said there was no question that Government officials were no more exempt from the operation of the law than other people.

Mr. SWANSON asked the Premier whether the Government would take any notice of the matter if they found there was any truth in the complaint.

Major ATKINSON said that, if a complaint was made in the ordinary course, notice would undoubtedly be taken of it.

J. BURNS.

Sir G. GREY asked, What steps the Government will take to give effect to the recommendation of the Public Petitions Committee of the 14th October, 1875, relative to the petition of James Burns? The Committee went into the matter very carefully, and recommended the prayer of the petition to the favourable consideration of the House. The facts of the case were that the petitioner was induced to come out to the colony on the representation that he would receive forty acres of land under the Waste Lands Regulations of the province. He remained in

Auckland for a considerable time, but came to Wellington when the seat of Government was removed, as an official in the Government Printing Office. When he did so, three months of the time necessary to enable him to claim the forty acres had not expired; but as the petitioner came to Wellington in the service of the Government, he was, he thought, fully entitled to the grant.

Major ATKINSON said the case had not been before the Government lately. They had the matter under consideration some time ago, and it was then decided that it was a question which should be left to the Provincial Government. Of course, now that the provinces were abolished, the Government would have to take the matter again into consideration.

WIDTH OF TIRES.

Mr. MONTGOMERY asked the Premier, If the Government intend, in accordance with the recommendation of the Public Petitions Committee on "The Width of Tires Ordinance, 1875," to bring in a Bill to enable the local authorities to deal with such matters? A petition presented to the Government some time ago in regard to this matter was referred to the Petitions Committee, who reported that it was desirable that legislation on the subject should take place, so as to enable the local authorities to deal with the subject. He therefore desired to know whether the Government intended to take any action in the matter.

Major ATKINSON said that, although the question was one of great importance, there was already so much work before the House that they were not prepared to deal with it this session.

WHANGAROA TO MONGONUI TELEGRAPH.

Mr. THOMSON asked the Commissioner of Telegraphs, Whether he is in possession of a report from an officer of the Telegraph Department, showing that he is justified in placing on the estimates the sum of £4,000 for telegraph line from Whangaroa to Mongonui; if so, whether he will lay such report before this House; and, if there is no such report, whether he has reasonable grounds for believing that such line will pay? He knew nothing regarding the proposed telegraph line from Whangaroa to Mongonui, but he was informed that, if constructed, it would not pay as well as the line to Catlin's River. He simply wished to inform himself upon that point. If his information was correct, either the line from Whangaroa to Mongonui should not be made, or, if made, the line to Catlin's River should be made also.

Mr. WHITAKER said the honorable gentleman's geographical knowledge of the Whangaroa to Mongonui line was on a par with his (Mr. Whitaker's) geographical knowledge of Catlin's River. The honorable gentleman's question related to a proposal to construct a telegraph line from Whangaroa to Mongonui, but, as a matter of fact, no proposal of the kind had been made. There was a proposal to construct a line from the Bay of Islands to Whangaroa, and thence to Mongonui. In answer to the question as to whether

any report had been received from an officer of the Telegraph Department showing that he would be justified in placing £4,000 on the estimates for the construction of a line from Whangaroa to Mongonui, he had to say that no such report had been received. Then the honorable gentleman asked whether, if there was no such report, there were reasonable grounds for believing that the line would pay. He did not believe the line would pay, but the matter stood in this position: During the time Sir Julius Vogel was Telegraph Commissioner he ordered to be placed on the estimates a sum of £3,750 for the construction of this line. That sum was upon the estimates, and would come under the consideration of the House in due course. It would then be for the House to consider whether the line should be constructed or not.

SAN FRANCISCO MAIL SERVICE.

Mr. WHITAKER, before the Orders of the day were proceeded with, read a telegram which he had just received from the Postmaster-General of New South Wales regarding the San Francisco Mail Service. He inferred, from what had already taken place, that the House desired to be kept fully informed of what took place between the two Governments; and he therefore would read the following telegram:—

"Gilchrist and Watt wish Honolulu to be omitted from the service, as this would shorten the passage. We regard the proposal with favour. What is your opinion?"

He proposed, after the matter had gone a little further, to come down to the House and state what the Government thought should be done under all the circumstances.

Mr. MURRAY hoped that the Government would consider the advisability of making Wellington the port of call. He believed it would only lengthen the passage through to Sydney by another day. He trusted the Government would consider the question, and see whether it could not be carried out.

Mr. BURNS hoped the Government would do nothing of the sort.

WASTE LANDS BILL.

On the motion for the committal of this Bill,

Mr. SHEEHAN said,—Sir, I have a few remarks to make upon this Bill which I think ought more properly to be made in the House than in Committee. The Bill is of a most revolutionary character as regards the administration of the waste lands of the colony. It proposes practically to abolish the systems which have heretofore existed in the provinces, and to substitute new machinery and new methods of dealing with the waste lands. The Abolition proposals adopted by the House were put before the country with the assurance that every change made under these proposals would be a change for the better. That was their chief, almost their only recommendation. Now it seems that these proposals, so far as the administration of the waste lands is concerned, are absolutely a positive injury to the Province of Auckland, and will do more to prevent settlement in that province than anything the Government

could have contrived for the express purpose. I will first point out that this is a Bill which ought to have been before the public some months before Parliament assembled, in order that public opinion might have made itself felt before the Bill came on for discussion in this House. Instead of that, we have placed before us, at the end of the session, a Bill of a most important character, a Bill underlying our finances and our whole prospects; and it is to be smuggled through the House in a manner which will prevent the people of the colony knowing anything of its provisions. It has been referred to the Waste Lands Committee, it is true; but let me show how that Committee is composed. There are seven members from Otago, three from Canterbury, two from Nelson, only two from Auckland, one from Napier, one from the West Coast, and one from Taranaki. Of the two members on the Committee from the Province of Auckland, one is the honorable member for the Thames (Sir G. Grey), who was not in a position to attend regularly. His position in this House and his other duties prevent him from attending; and the other Auckland member, the honorable member for Marsden, I have no doubt, found himself in a considerable minority when any question affecting Auckland was referred to the Committee. As a matter of fact, the Committee has absolutely upset the waste lands system of the Province of Auckland. That system, I may say, was sanctioned by this House, which in 1874 passed a measure introduced by myself—a measure which in all its essential details was first of all discussed by the Provincial Council of Auckland, which was as truly a representative body as any in this colony, not even excepting this House. It represents every shade of political opinion in the province, and is largely composed of men who have lived in the province for many years, and whose interests are identical with its progress. Well, Sir, a Committee composed of some of these gentlemen, bringing to bear upon the question that practical experience and knowledge of the requirements of the province which very few members of this House possess, brought up recommendations to the Provincial Council which, after full discussion, were embodied in the Bill I brought before this House. The land laws of the province were placed upon a basis satisfactory to the people; but this Bill knocks all that out of time, and puts in its place parts of systems which have been in operation in other parts of the colony. I am quite willing to admit that our financial necessities are great, but we were not told, when the Abolition proposals were made, that one-fourth of the inhabitants of the colony would have imposed upon them conditions and restrictions which would prevent settlement in their part of the colony, instead of encouraging it. If we had been told that, instead of a majority being in favour of this policy, it would have had a much larger number of opponents from the first. Primarily the chief end and aim of all our efforts should be to obtain settlement of the lands by people who would live upon them and work them; and everything we do, every step we take, that restricts us in that principle is an injury. Now the

country available for settlement in the Province of Auckland is not of the kind to be found in many other parts of the colony. It is to a large extent poor country. It can never compete in the market with the land possessed by many of the more favoured provinces, and I contend that it is not fair to that province, under these circumstances, to impose conditions and limitations which may work very well in other provinces where the land is of greater value and possesses greater productiveness. You cannot alter geographical conditions; you cannot by an Act of the Assembly disturb the geology of a country. There are some persons who contend that the Geological Department of this colony has done no good; but, whether that be so or not, the fact remains that in Auckland you have a large area of country, which the authorities of that department will tell you is exceedingly poor. I wish it were otherwise; but the fact remains that it is so. There are, no doubt, tracts of land as good as any in the colony, and as fitted for settlement; but there are also large areas of bad and inferior land. The waste land laws of the province met the difficulty by providing for three different systems of settlement, of which this Bill ignores two, and curtails the third so as to make it practically inoperative. One of these systems was adopted first in 1870, by the Act then introduced by Mr. Gillies; and under that Act very valuable settlements were established; very good settlers were induced to come into the province, who took up land, settled down upon it, and became a valuable portion of the tax-paying community—men who made two blades of grass grow where only one had grown before, or rather who made many blades of grass grow where none had grown before. If these men had been called upon to purchase land situated at a distance from the market, and without roads or other means of communication, they would never have taken up the land; but they did so because the law under which they obtained the land enabled them to obtain a Crown grant for it on condition that they settled upon it. That is a provision which is absolutely necessary for the Province of Auckland if settlement is to be carried on there on any large scale; and this is the case not only in the northern part of the province, but in many places on the East Coast and in the interior. Another system which this measure abolishes is of even greater importance—that is, the provision for the formation of special settlements. Under that system, several highly valuable settlements have been established in Auckland. Nearly all the settlements in the North owe their success to their having been formed by men who came out together from Home, who reached this colony in bands ready to work together shoulder to shoulder from the start, to assist each other in the difficulties they had to encounter, and thus formed prosperous and thriving settlements. It does not become us, then, by a stroke of the pen, without inquiry and without consulting the people in any way, to sweep away the power of founding other settlements of that kind. I put it to the honorable gentleman who has charge of this Bill, and I put

it to the House, to say what settlement has taken place under the Public Works and Immigration policy, how many people have taken up land who have been brought out at the expense of the colony? I venture to say that if a return were furnished of the number of persons who have done so, it would be found to be infinitesimally small. The only people whom we have brought out under that policy are people who have been cast upon the colony, who have decreased the rate of wages, and who have for a time been employed upon our public works. But I undertake to say that the moment there is any depression in this colony, or a successful gold field has been found in another colony, or any other disturbing cause arises, that moment they will leave you for ever.

Mr. CARRINGTON.—No.

Mr. SHEEHAN.—My honorable friend takes a more favourable view of the matter than I am able to do; but I am afraid he will have to get his harbour constructed at Taranaki before he is able to get any of these people to settle down in his province. I say that taking the colony as a whole, from one end to the other, the population brought out under the Public Works and Immigration policy has been essentially a floating population, who will leave the colony to-morrow if they can find some other place where they can obtain better wages, and particularly as in other colonies the conditions as to land which you propose to abolish by this measure still exist. If men find that they can obtain higher wages and become permanent settlers on more favourable terms in other colonies, they will go there, and nothing will stop them. I cannot conceive why the Government should have swept away this provision with regard to special settlements. I recollect very well, and honorable members who were in the House at the time will bear me out in saying, that the establishment of the Katikati Special Settlement—the only sound settlement that has of late years been formed in Auckland—was absolutely dragged out of the Government: it was like drawing blood from them; but they were at last obliged to assent to it. They now evidently think that these special settlements are not desirable; but if we had not established that settlement, which is rapidly improving the district, and which is every day taking in fresh lands, we should have had in that place nothing but a howling wilderness. I put it to the House whether it would not be better to give our land to the right class of men than to keep it locked up as the dog in the manger kept the hay? I do think, looking at these facts, and as this Bill has been brought in apparently without much consideration, and without the people knowing anything about its special application to some of the provinces, we should not in a hasty manner pass a measure which will revolutionize our waste lands laws. What I should have preferred, and what I believe a great number of members of this House would have preferred, would be a Bill containing machinery to enable the Government to take over the administration of the waste land laws in the different provinces as soon as abolition takes place and until next session. I think

the Government should administer those waste land laws during the recess, and then they would for the first time be brought face to face with the administration of them, and would acquire that local knowledge and experience as to what conditions of settlement should take place which would enable them to produce a more satisfactory measure next session. What can the Waste Lands Committee, through which this Bill passed, know of the conditions favourable to settlement in Auckland? How many of its members have ever been there except to pay a flying visit? And yet with one stroke of the pen they would sweep away a system that has been established for years, to substitute a system which I contend will never work. I hold also that the time is not ripe for increasing the price of land. Every indication in the sale of estates, in commercial transactions, and in the price of wool, and other things that tend to make land valuable, is against the theory that it is right at present to raise the price of land. Against this it is argued that the colony has borrowed heavily, and carried out extensive public works in order to make the land valuable, and therefore the land should pay its share towards redeeming the indebtedness of the colony. But if you raise the price of your land above the market price of land in other places, and people can buy land cheaper in the other colonies, they will pass by our doors and go where they can make the best bargain. I am willing to concede to gentlemen from Otago, Canterbury, and other provinces, knowing the wants of their own provinces, that they may be right in raising the price of their lands, and that it will confer a benefit upon them; but I protest against their raising the price of land in Auckland, because it will amount simply to stopping all settlement in that province until the price is lowered again. I do not speak without book in this matter. I am not a landholder in the Province of Auckland, nor am I even a resident there now; but I say, in all sincerity, that the effect of putting this measure into force in the Province of Auckland will simply be to drive all settlement from the province, either to the other provinces or to the other colonies. If we have poor land, it is our misfortune; do not make it our crime. If a large quantity of our land will not find a ready market, do not make it a reproach to us that we endeavour to make it profitable in some way. If this measure passes and you increase the price of our land, you must shut up settlement; and I am bold to say that for the next five years after it comes into force there will not be five pounds' worth of land sold in the Province of Auckland. Is it fair that this province should be handicapped in this way? She was at one time the leading province in the colony; she is now the second in population and revenue, and if you allow her to work out her own destiny she will succeed; but if you do not, and if you impose such heavy conditions on her as this Bill provides, she will before long be compelled to linger in the race of progress. When such a result as that arises from the legislation of this House—legislation of a hasty kind, founded upon no experience and with nothing to justify it—I

say it is a crime on the part of the Legislature. I am quite aware of the financial objections to this measure. My honorable friend the Premier will tell me that it is an argument which requires consideration to enable me to reply to it—that we must make public works, and carry on our institutions. I quite admit it; but I tell him that abolition was obtained on different grounds. The people were told that they were going to have everything—their roads, their works, their government were to be better and more economically carried on than under the old system of separate provinces. I maintain that under the old system we managed at all events to struggle on, and we had liberal land laws which enabled our province to become settled; but now you are going to deprive us of the benefit of the measures which best suited our requirements, and to reduce us to a condition which will make us assume but a small position in the colony. The whole subject is rife with complaint. I may add, as bearing upon this subject, that from 1871 to the present time the colony has been buying what it has facetiously termed a waste lands estate for Auckland. Hundreds of thousands of pounds have been spent, and I forget how many persons have been employed upon this work; but I would ask, what are the results? The results are infinitesimal. You may still see from year to year, in the reports of the Native Minister, the black lines of figures showing the quantity of land purchased in Auckland, but a very small portion of that land has been placed in the hands of the provincial authorities to deal with. There really appears to have been a determination on the part of the General Government—I do not allude to the honorable member now at the head of the Government, but to his predecessor—to compel the province to go in for abolition by taking away its land, and thereby preventing its keeping up its revenue. Even in the Waste Lands Act of 1874, the most unjust provisions were put in against my Bill, which practically shut up the lands of the province from settlement; and I contend we shall be making a very great mistake now if we pass this Bill. It will be a great mistake to put a stop to a waste lands system which had been proved to be suited to each district; and the House cannot be justified in passing a measure which shuts the door to progress, and makes settlement impossible. I trust the honorable member in charge of the Bill will further consider this question—that he will be able to see his way to give further consideration to it during the recess. I cannot understand how he could possibly have come to the conclusion that, by raising the price of land in Auckland, the operation of the homestead system and of the special-settlement system is likely to prove beneficial to that province. If, to keep up the finances of the colony, and to justify abolition, it is right to sacrifice a large section of the community, he may perhaps see it, but I certainly cannot. But if he believes, as I believe he does, that it is only fair to allow each part of the colony to work out its own destiny, to introduce population and strive for its prosperity, then I think he will withdraw this mea-

Native affairs. Whether this Bill would affect the Natives of the North Island or not, he was not prepared to say; but he could say that it was absolutely necessary, and in fact almost compulsory, that some Act should be passed to regulate the affairs of the lessors and lessees in the town of Greymouth. It had been stated, and was contained in the report of the Native Commissioner, that the people of Greymouth had invested very largely in buildings on Native land. It was not only, as had been said, to the extent of £40,000 that these investments had been made; but he could state, without fear of contradiction, that it was to the extent of £100,000. But what had been the state of affairs there? There was a time when the Natives had the leasing of the land in their own hands; but the Government stepped in, and rightly so, because designing people of our own race took advantage of the Natives, and made good bargains for themselves. But ever since then the Native Commissioner had arranged affairs between the lessors and lessees. What was the case, however? There were about 100 acres of land in the town of Greymouth which had been let to the people there, and it would be seen that the rent from those 100 acres amounted to from £3,000 to £4,000 a year. That, honorable gentlemen would admit, was a very fair rent, if not an excessive one. And what did the people of Greymouth desire? They did not require to have their rents reduced—they did not even ask for that; but they desired to be a little safer in their tenure. Hitherto the renewal of the leases by the Native Commissioner had been granted more as a favour, although at the very beginning a promise was held out to the tenants that the leases would be renewed from time to time. Latterly the leases had been renewed for a period of twenty-one years. Therefore it would be seen by honorable members that, in any case, there was a necessity for arranging the position between the Natives and Europeans in the town of Greymouth. As he had stated before, he was not prepared to say how far the Bill would affect Native reserves in the North Island, but he was positive that the question of the Native reserves in the Middle Island, or at least in the Province of Westland, required to be looked into by the Legislature, in order to give the occupiers of those reserves a more secure tenure than they at present possessed. It had been stated in the Council, and he thought also in the report of Mr. Alexander Mackay, that the uncertain tenure of the land had prevented the inhabitants of Greymouth from erecting more substantial buildings. If honorable members, however, were acquainted with that town, they would know that already very substantial buildings had been erected on the Native reserves; and if more reliable arrangements were come to between the Natives and Europeans, there was not the least doubt that most substantial and valuable buildings would be erected in the place. It should be borne in mind that the town of Greymouth was not entirely dependent on the gold fields. The resources of that district were so manifold, and the coal deposits so valuable, that there was every reason to

hope Greymouth would become the Newcastle of New Zealand before long. For those reasons he hoped honorable members would agree to the passing of this Bill, or at least the clause which referred to the leasing of the land in the town of Greymouth. He would be prepared to consent to any amendments that might be considered necessary, if only they could arrive at a more satisfactory arrangement between the Native owners and the European occupiers of the reserves in Greymouth.

The Hon. Captain FRASER was very sorry he could not support the amendment of his honorable friend Mr. Wi Tako, and he could not do so in the interests of a small portion of the Maori race. He was on the Public Petitions Committee when the question of the Greymouth Native Reserve came under consideration. It was before the Committee for several days; they had ample evidence upon it, and arrived at the conclusion that it would be a very dangerous thing to place that reserve in the hands of the Maori people, because they would sell the land, and their families and children be left beggars. The Committee formed the opinion that it was very desirable that sixty years' leases, with a fresh assessment at the end of every twenty-one years, should be given to those who were at present in the occupation of the reserves. For that reason he was bound to support this Bill as it stood; and he regretted, that in the interests of a portion of the Maori race, he could not support the amendment of the Hon. Mr. Ngatata.

* The Hon. Mr. BONAR trusted the Council would deal with this Bill with perhaps an exceptional amount of consideration, mainly owing to the fact that it had been introduced so late in the session, and that not through any fault of the Government, but chiefly, he believed, in consequence of the unfortunate indisposition of his honorable friend the Colonial Secretary. He thought that the proposal which had been made by the Colonial Secretary was one which would commend itself to the Council as being a more fair and equitable mode of dealing with this Bill than accepting the amendment of the Hon. Mr. Ngatata to postpone the second reading of the Bill for six months without any further consideration. In his opinion, the reference to a Select Committee, where the matters that had been alluded to could be more thoroughly dealt with, would be the proper course to adopt with reference to a measure such as this, which really affected not only the Maori proprietors of the reserve, but also a very large number of European proprietors and many important and valuable interests. He therefore trusted the Council would see its way to allow the Bill to go to a Select Committee, with a view of having the fuller inquiry which would be afforded by that means. With reference to the objections that had been taken to the measure up to the present time, he thought they really comprised only two questions. One was that named by the Hon. Mr. Ngatata, that the Bill interfered not only with lands in the Middle Island—to which he understood the honorable gentleman did not object—but also

with lands in the North Island; and the other point was that started by the Hon. Mr. Waterhouse, that because the Act of 1873 had not been brought into operation it was right that a protest should be entered against the action of the Government in that respect. He apprehended that neither of those objections would be considered sufficient to lead to the postponement of the Bill. With reference to the objection of the Hon. Mr. Waterhouse, he thought the honorable gentleman might be satisfied by testifying in his place in the Council his condemnation of the course that was adopted. That would be sufficient to relieve the honorable gentleman's mind of any responsibility as to being a consenting party to the Act having remained in abeyance; and he thought it should not be allowed to weigh against the very important interests which this Bill proposed to deal with. With regard to the question of the interference with lands in the North Island, he thought a perusal of the very valuable memorandum by Mr. Mackay, and also of the Bill itself, would convince honorable members—and if it did not, he was sure evidence could be procured that would—that only a very small section of lands in the North Island, and very few of the Natives there, would be affected by the operation of this Bill. He found, on reference to the Bill and to the memorandum of Mr. Mackay, that the Native reserves were classified into five different sections; and in page 2 of Mr. Mackay's report he found a recognition of the principle which was affirmed by the Act of 1873, and which was given effect to in the Bill now proposed to be read a second time. Mr. Mackay, in his memorandum, said,—

“The Assembly, in passing the Act of 1873, having declared its belief that it was advisable that the Natives should have a voice in the management of their lands, this right has been extended to them in the case of reserves of the fourth and fifth class.”

Therefore reference to the Bill would show that a very large and important series of the reserves would still continue to be administered in accordance with the expressed wish of the Legislature. The parts of the reserves that were more particularly connected with the West Coast were those comprised in sections 2, 3, and 4; and he might say that handing those over to the Commissioner to deal with would affect to a very small degree any lands in the North Island, and would affect a very small portion of the population of that island. With reference to the lands in Greymouth, he thought he might be pardoned for quoting from a return laid on the table of the Council to show what was really the extent of the interests concerned. He found that during the year 1875-76 there had been no less a sum than £4,213 received from the rents of those reserves, and, as had been stated by the Colonial Secretary, this money had been received mainly for the benefit of about twenty or twenty-five Natives. The Council would see that a very large European population—upwards of at least 500 tenants—were affected by this question of the reserves. The question of the tenure they ought to hold had been a matter of very serious con-

sideration to all who were occupiers of those reserves for a number of years past, and efforts had been made in various directions to get that security of tenure without which no town could possibly progress. And he might say here that the larger part of the business portion of the town of Greymouth was built upon this Native land, and therefore it was that the matter was so pressing. He would further add, in connection with the occupation of these Native lands, that the lessees had gone to very considerable expense indeed in the shape of taxation and private subscriptions in order to preserve this Native property. Honorable members must be well aware of the very serious floods which occurred from time to time in the Grey River. They had cut away a very large portion of this Native reserve; and without very considerable expenditure having been incurred by the tenants, to which he believed the Native Trust only contributed to a very small extent, the whole of the property would have been rendered utterly valueless, and the Natives would not have been in receipt of the large rents they are now obtaining. He thought also that it was a matter of very considerable importance that engagements, whether made directly by agreement or implied by the Native Commissioner, should be maintained. This was borne out very fully by the Commissioner's report with reference to that matter. He said,—

“In the case of the tenants on the Native reserves in Westland, but more especially in regard to the tenantry at Greymouth, the above rule will have to be faithfully observed in respect of the implied right of renewal, as they have always been led to understand that a renewal of their leases would be granted them, at a moderately increased rent, at the end of the subsisting term, depending on the annual amount of rental hitherto paid. On the faith of this, they have erected substantial buildings and improvements to the value of over £40,000, besides raising money for town improvements. This last expenditure, coupled with the outlay needed for other municipal works, has necessitated their levying a tax equal to 10 per cent. on the annual value of their properties.”

Then Mr. Mackay went on further to deal with that question, and with the proposed arrangement as to rentals. Now, although the Bill proposed to give leases for a very considerable period, still it was proposed that at the end of every twenty-one years the rentals should be re-assessed. Therefore the Natives would derive full benefit from the improvement of their property by the increased rentals they would receive, and the owners and occupiers would have had that security of tenure without which no town could possibly progress. Although, in the House of Representatives, and also in the Council, petitions had been presented from the Natives bearing upon this question, as the Hon. Captain Fraser had pointed out these matters had been examined very carefully, and reports by the respective Committees had been submitted favourable to the passing of this measure. That, he thought, was an additional reason for passing the Bill, and allowing the

matter to receive fuller investigation by a Committee. He did not wish to enter at any length upon the merits of the question, trusting that the Council would agree to the reference to the Select Committee, so that the matter might be inquired into; but he thought the appeal, if he might say so, of the Colonial Secretary, who did not feel equal to entering at great length into the subject, ought of itself to warrant the Council in passing the second reading of the Bill, and allowing it to be subjected to the investigation which was proposed. He would support the second reading of the Bill.

The Hon. Colonel WHITMORE would support the Hon. Mr. Ngatata in this matter, because he thought that the Act which was passed in 1873, after careful investigation, should be given a fair trial before it was repealed. He did not approve of their consenting to grant these lands without much better evidence than had been adduced to the Council that any such arrangement was ever entered into by a proper authority. As far as he had been able to see, the petitions which had been received from the Natives were all against the Bill, and he was bound to pay great deference to the opinion of the Hon. Mr. Ngatata, who he knew had treated the subject with great attention for some weeks, and had made, he was led to believe, every inquiry from people of his own race who were interested in the matter. That honorable gentleman had for some weeks been of opinion that it would be very undesirable to pass this Bill. There could be no justification for bringing in a Bill which dealt with the freehold property of persons of the Native race in the last few days of the session. It was not right that the Council should be asked to deal with lands that belonged to the Natives when there was so little time to consider the matter. It was not right to ask the Council to refer the Bill to a Select Committee at this period of the session; because it would be impossible for members, during the few days that the session would last, to do justice to the Bills, which were already before them. Under such circumstances he did not think he would be wrong in following the lead of the Hon. Mr. Ngatata. A Bill had been passed which had been strongly supported by his honorable friend Mr. Hart; but he did not think that honorable gentleman would have advocated it so warmly if he had thoroughly understood what he was doing. He thought that honorable members ought to refuse to enter into Bills of this kind at such a late period of the session, more especially when, as in this case, the existing law had not been put fairly on its trial.

* The Hon. Dr. POLLEN hoped that honorable gentlemen would consider well before they came to a decision on this matter. He trusted they would permit the Bill to be read a second time, and then referred to a Select Committee. The deliberations of the Committee need not occupy a long time. Mr. Mackay, who was an authority on the subject of these Native reserves, was now in Wellington, and if he were before the Committee he could, in a very short time, give the Committee a great deal more information and throw a great deal more light on the subject

than he (Dr. Pollen) could now attempt to do. He was advised that the extent of land which was affected by this Bill was very small. He was informed that, whilst the reserves which had already been made in the North Island amounted to considerably more than a million and a half of acres of land, the number of acres which would be affected by the operation of the Bill was not more than 5,000 or 6,000 at the outside. He hoped the Council would allow the Bill to be read a second time, and referred to a Select Committee. The Committee appointed last year consisted of the Hon. Mr. Waterhouse, the Hon. Mr. Bonar, the Hon. Captain Fraser, the Hon. Mr. Ngatata, the Hon. Mr. Taylor, the Hon. Mr. Hart, and himself. He would propose that the name of the Hon. Mr. G. R. Johnson, or of some other honorable gentleman, should be substituted for that of the Hon. Mr. Taylor, who was not now in the Council. The Committee might meet next day and take the evidence of Mr. Mackay.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	10
					—
Majority for	...	...	...	...	7
					—

AYES.

Captain Baillie,	Mr. Peter,
Mr. Bonar,	Mr. Pharasyn,
Colonel Brett,	Dr. Pollen,
Mr. Edwards,	Mr. Rhodes,
Captain Fraser,	Major Richmond, O.B.,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Mr. Scotland,
Mr. J. Johnston,	Mr. Stokes.
Mr. Lahmann,	

NOES.

Mr. Holmes,	Mr. Ngatata,
Mr. G. R. Johnson,	Mr. Nurse,
Lieut.-Colonel Kenny,	Mr. Paterson,
Mr. Kohere,	Mr. Waterhouse,
Mr. Mantell,	Colonel Whitmore.

The amendment was consequently negatived, and the Bill read a second time.

DISEASED SHEEP BILL.

* The Hon. Mr. HALL said the amendments made in this Bill by the other House were of a very important nature, and he thought it would be desirable to endeavour to arrive at some agreement on the subject in the usual way. He therefore proposed, That the Council do disagree with the amendments.

The Hon. Dr. GRACE thought the Council should agree to the amendments suggested by the House of Representatives. It was an unfortunate fact that, owing to the rough nature of the country on the east coast of this province, when once scab was introduced it was almost impossible to get rid of it. He owned sheep himself, and had found that his sheep, though he tried to keep them clean, generally got the scab about once a year from his neighbours' sheep. The Bill was, in his opinion, one which would

have a good effect, but at the same time it was questionable whether such extreme measures as were laid down in the Bill were necessary. He believed that if they were brought into operation a great many people would be ruined. He was, however, prepared to take his chance under the provisions of the Bill.

* The Hon. Mr. WATERHOUSE said he was quite satisfied that, unless some such Bill as this were passed, it would be almost impossible to stamp out scab. So long as there was scab in the country, there was the danger of the resources of the colony being seriously diminished. That scab could be stamped out of a country was quite clear, from what had taken place in other colonies. The scab law had been most beneficial to South Australia: in fact, scab had been completely stamped out there by means of it, and people who had hitherto derived no income from their sheep were thereby enabled to do so. In Victoria, scab was allowed to run rampant for many years, and the Scab Act was introduced there in the face of a great outcry from persons whose flocks were affected by scab. An Act on the subject of scab was only passed when pressure was brought to bear by those flockowners whose sheep were clean. The result of that legislation, however, was that scab had been stamped out in Victoria, and the same thing had occurred in New South Wales and Tasmania. In New Zealand, scab still existed to a considerable extent. This was especially the case in the Provinces of Marlborough and Nelson. It was the practice to send sheep from one province to another by steamer, and it would easily be understood that scab might be introduced into a "clean" province in this way. It was known that the sheep which were brought by butchers were frequently more or less suffering from scab. Only a few months ago the disease had been brought to this neighbourhood by some sheep which had been introduced in this manner. He believed that the amendments which the Council was now considering had been put into the Bill by some persons who were interested in the Province of Marlborough, and who were so short-sighted as not to be able to see that the Bill would really be for their own benefit. He hoped that the Council would not agree to the amendments, but that some arrangement would be come to between the two Houses, by which some legislation of a stringent nature might be agreed to—legislation which would have the effect not only of checking but actually of stamping out scab.

The Hon. Captain FRASER thought that if they opposed the amendments they would imperil the Bill. He thought they were making a great mistake in passing stringent Scab Acts. They did not want stringent Scab Acts; they wanted Magistrates who would do their duty. They had a very mild Act in Otago; but they stamped out scab, because the Magistrates did their duty.

* The Hon. Mr. HALL explained that he did not intend by his motion that, in the event of their being unable to agree with any modification in the amendments, they should lose the Bill; but he thought it was right they should make an effort in order to see whether a modification could

not be arrived at which would meet the views of the other branch of the Legislature, and also the views of the Hon. Dr. Grace, whose views he was sure they would be willing to give great weight to.

Question put, "That this Council doth not concur with the amendments made by the House of Representatives;" upon which a division was called for, with the following result:—

Ayes	...	...	...	15
Noes	...	...	...	10
Majority for	...	...	...	5

AYES.

Mr. Bonar,
Mr. Campbell,
Mr. Hall,
Mr. Hart,
Mr. Holmes,
Mr. G. R. Johnson,
Mr. Nurse,
Mr. Peter,

Mr. Pharasyn,
Dr. Pollen,
Mr. Rhodes,
Mr. Russell,
Mr. Stokes,
Mr. Waterhouse,
Colonel Whitmore.

NOES.

Captain Baillie,
Colonel Brett,
Mr. Edwards,
Captain Fraser,
Dr. Grace,

Mr. J. Johnston,
Lieut.-Colonel Kenny,
Mr. Lahmann,
Major Richmond, O.B.,
Mr. Sootland.

The motion was consequently agreed to, and the following managers appointed to draw up reasons for disagreeing with the amendments:—The Hon. Mr. Waterhouse, the Hon. Mr. Stokes, and the Hon. Mr. Hall.

DEBTORS AND CREDITORS BILL.

* The Hon. Dr. POLLEN, in moving That the Council doth not insist on its amendments of the Debtors and Creditors Bill objected to by the House of Representatives, said that the amendments in question were carried by the very small majority of two. Seeing that the necessity for legislation on this subject was admitted, he did not think it would be wise to imperil the measure by insisting upon the amendments which at the instance of the Hon. Mr. Hart the Council had been induced to adopt.

* The Hon. Mr. HART very much regretted that the reasons assigned on the part of another branch of the Legislature for dissenting from the amendments made by the Council most distinctly misrepresented the effect of those amendments. He was sorry for it, because the amendments were in print, and the reasons alleged were in print. He would read the reasons to which he referred. The first was,—

"That the said amendments alter the intention of the Act, and take the management of estates practically out of the hands of creditors to put them into the hands of officials."

Now, the amendments did not in the slightest degree touch the power of creditors to appoint a trustee in any case in which they chose to appoint a trustee, so that nothing whatever was taken out of the hands of the creditors by those amendments. He gave a practical denial to the first of these reasons. The second reason was,—

"That every provision necessary to prevent delay in the vesting and management of bankrupt estates was made in the Bill sent up to the Legislative Council, without interfering with the exercise of the profession of assignee by private individuals."

He did not understand what was meant by "the profession of assignee by private individuals." The vesting of estates in the Registrar of the Supreme Court, who could do nothing towards taking possession until such time as the creditors' trustee was appointed, was practically a delay in that which was necessary in the very first instance—namely, taking possession of the estate, and preventing it being wasted by nobody being concerned in the possession of it until the meeting of creditors. As far as he understood that reason, he must give a practical denial to it also. He would refer to the next two reasons presently, but would at once proceed to deal with the fifth reason, which was as follows:—

"That the system of official assignees was not found satisfactory in this colony; and that the principle of free trade in the profession of trustee, accepted by the legislation of last year, has not received a fair trial."

Now, the return which had been laid before the Council on his motion showed that in 739 out of something under 900 cases the official assignees administered those estates. In many of those cases the official assignees were appointed by the creditors themselves; and to say that the system was unsatisfactory was to say that which experience proved was inconsistent with fact. The words "the principle of free trade in the profession of trustee, accepted by the legislation of last year, has not yet received a fair trial," were absolutely without meaning or absolutely deceptive. He did not know what was meant by the principle of free trade in the profession of trustee. The creditors were authorized by the Act in existence to elect their own trustee if they pleased, and what was meant by "the profession of trustee" he did not understand in the sense of this reason. If it had any meaning—if it meant that the State would not accept trusteeship in any case, and that the State should not accept trusteeship in any case—what was the meaning and intention of those statutes passed by the Legislature which added so much to the powers of the Public Trustee? They actually put into his hands the management of the estates of absentees who had not been represented in the colony for ten years, and enabled him—very much to the benefit of those estates—to let them for a period of seven years. He mentioned this simply for the purpose of showing that the State did take trusts upon itself—trusts, it was true, where there was likely to be a profit on the estates, but it did not try to escape the duty cast upon it under the peculiar circumstances of the case. As he had stated briefly before, the State, in this case, interfered with the rights of individuals by suspending in the first instance, absolutely taking away in the last, the rights of the creditors against the debtor. Having done that, they were bound to take care that what the debtor had was divided among the creditors. To say

that was a private matter, and not an interference by the State with the estate of the debtor was what he did not understand and could not understand. He would also very briefly refer to the fact that the Government, in this case, was not representing the mercantile interest of the colony. In Otago, Canterbury, and Auckland the opinions of the Chambers of Commerce had been completely pronounced on this subject, and he believed that the merchants and bankers throughout the colony had but one opinion. Again, did the Government escape responsibility by the position which it had taken up as to trusteeship under this Bill? What difference could it be in effect that the Government should directly appoint the trustee or appoint an officer to appoint the trustee? If the trustee was appointed by the Registrar of the Supreme Court he was as effectually appointed by the Government as if he were appointed by the latter direct. He thought these were matters of reason and principle, and ought not to be overcome by reasons so slender, shallow, and superficial as those upon which he was now commenting. The third reason was—

"That the appointment of permanent official trustees in every judicial district in the country throws a responsibility on the State for the management of private business, from which creditors should not be relieved."

The answer to that had been given in the observations he had already made. A trustee appointed by the Registrar of the Supreme Court was actually appointed by the State. The inconvenience was that the address of such a trustee was not known to the creditors, which would not be the case with an official trustee. The next reason was:—

"That it would be necessary, in the event of official trustees being appointed, in order to secure the efficient discharge of their duties, that such trustees should receive a salary, instead of being paid by fees; and that it is not advisable to create another class of salaried officials."

He had not heard throughout the colony that such a necessity had been found to exist. They had no evidence of such a necessity before them this session; and in a matter so important as the passing of an Act which related to the arrangements between debtors and creditors, it would have been desirable, if such evidence existed, to place it before the Legislature. They had been informed that the existence of official trustees had caused a cost to the country of £600 a year in the appointment of an official inspector in bankruptcy. That official inspector in bankruptcy, one would suppose, would have made a report on the duties performed by him, and would have reported on the instances in which he had detected discrepancies in the accounts of trustees, negligence in their duties, or had otherwise beneficially interfered for the purpose of protecting the interests of creditors. There had not been a paper, or report, or evidence on the subject, that he was aware of, laid before the Council, and, for anything they had in evidence before them, the office of official inspector might as well not have existed. On this account he conceived the 4th reason was one that would not hold water, and he

thought the Government could give a fair answer to any demand for such an office. They could say, "If you want an official inspector in bankruptcy, his salary must be paid by means of a tax levied on the bankrupt estates." He had studied to be brief in his remarks, but he thought he had sufficiently disposed of the reasons given by the other branch of the Legislature. If this motion were negatived, he would move that managers be appointed to reply to the reasons.

Question put, "That this Council doth not insist upon its amendments in the Debtors and Creditors Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	17
Majority against	...	...	...	...	10

AYES.

Mr. Bonar,	Major Richmond, C.B.,
Mr. Hall,	Mr. Stokes,
Mr. Lehmann,	Mr. Waterhouse.
Dr. Pollen,	

NOES.

Colonel Brett,	Mr. Mantell,
Mr. Edwards,	Mr. Paterson,
Captain Fraser,	Mr. Peter,
Dr. Grace,	Mr. Pharazyn,
Mr. Hart,	Mr. Rhodes,
Mr. Holmes,	Mr. Russell,
Mr. G. R. Johnson,	Mr. Scotland,
Mr. J. Johnston,	Colonel Whitmore.
Lieut.-Colonel Kenny,	

The motion was consequently negatived, and the following managers were appointed to prepare reasons for insisting upon the amendments made in the Bill:—The Hon. Mr. G. R. Johnson, the Hon. Mr. Hart, and the Hon. Colonel Whitmore.

The Council adjourned at eight o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 24th October, 1876.

First Reading—Third Reading—Christchurch and Ahaura Mail Service—"Taranaki" and "Napier"—Civil Servants—J. Burns—Width of Tires—Whangaroa to Mongonui Telegraph—San Francisco Mail Service—Waste Lands Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Native Schools Bill.

THIRD READING.

The New Zealand Loan Bill.

CHRISTCHURCH AND AHAURA MAIL SERVICE.

Mr. KENNEDY asked the Postmaster-General, in the event of a coach service being estab-

lished between Christchurch and the Hanmer Plains, if the Government will establish a pack-horse mail service from the said Plains to Ahaura, *via* the Amuri Pass, if obtainable at a moderate cost? He would merely say that there was a considerable settlement taking place in the Upper Buller and Grey Valleys, which would be much benefited by more direct communication with the Amuri and North Canterbury District. He was reliably informed that a coach service was about being established between Christchurch and the Hanmer Plains. From there to Ahaura, a distance of sixty miles, a pack-horse service would, he believed, be obtained at a moderate cost. There was a mail-coach passing Ahaura daily, between Greymouth and Reefton; therefore the mail service referred to in the question would be of very great service to the settlers in that part of the country; and he hoped the Government would see their way to answer his question favourably.

Mr. WHITAKER said if a coach service was established, the Government would call for tenders for the service the honorable gentleman required. It would then be seen whether it could be performed at a moderate cost or not, and a decision would be come to.

"TARANAKI" AND "NAPIER."

Mr. STAFFORD asked the Commissioner of Customs, whether he will lay before this House the papers connected with the inquiry into the condition of the boilers of the steamers "Taranaki" and "Napier"?

Mr. G. McLEAN said there would be no objection to lay the papers on the table.

CIVIL SERVANTS.

Mr. SWANSON asked the Premier, if the officers of the General Government are subject to the same restrictions and penalties for offences committed against municipal laws and regulations as the rest of the inhabitants? He would read a letter which appeared lately in an Auckland newspaper on a matter of considerable importance, but would leave out two or three lines which were not necessary to make the meaning of the letter clear. The following letter was read at a meeting of the Auckland City Council:—

"Auckland, 9th October, 1876.

"GENTLEMEN,—I respectfully make the following report:—On Saturday, the 7th instant, at about 10.30 a.m., Mr. Halliday, cabinetmaker, Shortland Street, called at the office to complain of a nuisance proceeding from and belonging to the police establishment in Chancery Lane. I went with Mr. Halliday to see the nuisance complained of, and he pointed the matter of complaint out. We went to the police establishment. I asked one of the constables if he would be kind enough to show me upstairs. He referred me to the sergeant-major, who went with us, and opened the door, and remained some time with us. I was desirous to find out the cause of the nuisance complained of, and where it proceeded from. I procured a screw-driver, and unscrewed two screws from the front of the seat, and was in the act of replacing them, when Sergeant Bulford desired

Marsden went further, and said that the real cause of the non-rapid success of the forty-acre settlers was that the best lands were not open to them. It is within my own knowledge that that is absolutely the case. I recollect particularly being told by one gentleman of great experience, who had travelled throughout the whole of that part of the country with a view of choosing land himself, which ultimately he did not do, that wherever he came upon a good block of land it was reserved. I appealed to the authorities, and they told me that as the settlers became numerous this land would be sold for a great price, and these blocks were reserved with that view. I could not make those gentlemen understand that it would be infinitely better to put the first settlers on the good land, because by their presence there and the improvements they would make they would increase the value of inferior land in the neighbourhood. It was in vain to argue with them in that way. But I say there has been no failure in the forty-acre settlements; they are forming the nucleus of the most thriving population in the country. The district is full of settlers of a most excellent character and most enterprising people—people living in great comfort, reconciled to their position; with their farms gradually increasing in prosperity, and now carrying small flocks of sheep in almost every instance. Altogether I do not think there is a more contented or happier community in the colony, although living in poverty as compared with settlers in other places, partly from being placed upon bad land, and partly from no roads having ever been opened up there. That is one subject which should undoubtedly demand the attention of the House. That part of the country abounds in good harbours and tidal rivers, ending in streams of considerable magnitude, which are available for mill-power and for fertilizing the country; but there is no road reaching them from Auckland or any other place, and their only mode of communication with Auckland is in this manner: Steamers, hitherto subsidized by the local Government, visit the islands and rivers, calling at different places along the coast. When one of these steamers enters a river, you find a large number of the community congregated together, and some twenty or thirty flat-bottomed boats, containing the poultry, butter, fruit, eggs, and general farm produce of the settlers. These they place in boxes on board the steamer, receive the return boxes, the steamers go away, and then the boats disperse in every direction. It is only by means of steamers of that kind that they are enabled to live as they do. Their non-rapid success as compared with other places is to be attributed to their not being placed upon the best land, but upon very indifferent land, and to the fact that no money has been spent in opening up communication with the district, or in erecting wharves from which to ship their goods. I will give one instance of what I myself have seen in the Matakana River, which will show how these settlers are situated. The steamer calls there twice a week, and then twenty or thirty flat-bottomed boats assemble at the place. It was a

matter of the greatest importance that a jetty should be erected there. That would cost about £350 or £300; and the settlers themselves agree to put up a store on the end of the jetty in which to place their produce, so as to have it ready when the steamer arrived. The jetty could be erected that the steamers could go alongside at any tide; but the General Government actually would not allow the provincial authorities to spend the money. There appeared to be some idea in their minds that there was some engineering purpose in the proposition. Such was no way the case. It was the same thing with regard to Wangarei. That is the most important place along the coast, and I am told that it would be easy to put a jetty in the tidal river there; but no jetty has been erected there. The consequence is that when the steamer gets there it may be in the middle of the night, you are put into a boat and have to take your chance as to how you will land. No provision whatever has been made for the people inhabiting the country I speak of in any way, as has been done in other parts of New Zealand. That is no doubt to be attributed in part to their having been deprived of the Land Fund. It is a matter of great regret to my mind that, in all measures for the administration of the waste lands, nothing fair has been proposed with regard to the Land Fund. I brought forward certain resolutions this session which were called the "Separation Resolutions," which did make a fair provision for that purpose, and which were supported by a large number of the Southern settlers. We have the Premier now telling us, with a sort of glorification, that the present administration means localization of the Land Fund. I was sorry when I heard him say that, for I do not think that his proposals, or even the proposals of the honorable member for Timaru, are in any way satisfactory. Last year, when those proposals were brought forward which were to result in abolition, the honorable member for Timaru made a strong effort to obtain four millions of acres of the public lands, besides a large sum of public money, for the Timaru district.

Mr. STAFFORD.—Last session I asked for nothing for Timaru. When I did ask for anything, it was for 50,000 acres—not 4,000,000 acres.

Sir G. GREY.—There was a clause put into the Abolition Act which covered that, although there was no open statement made as to the effect that the clause would have.

Mr. STAFFORD.—The honorable member is altogether misinformed with regard to what took place.

Sir G. GREY.—I am not misinformed on the subject. There are many honorable gentlemen now in the House who recollect what took place last session.

Mr. DIGNAN.—The Timaru and Gladstone saving clause was put into the Abolition Bill.

Sir G. GREY.—I am perfectly right. I believe I am perfectly correct in what I say. I recollect myself the surprise and concern with which I heard the nature of the proposal, and I recollect that the honorable gentleman did not deny it then as he has done now.

Mr. STAFFORD.—I absolutely deny it, from first to last. The honorable gentleman must not attempt to put upon me any concurrence in his interpretation of any clause. I refuse to allow the honorable gentleman to reiterate statements which I have denied. The denial of any honorable member of this House ought to be accepted. I would ask the honorable gentleman to observe the same courtesy in this House which in private life one gentleman shows to another.

Sir G. GREY.—I have simply to say that a reference to what took place last session will decide this question. Angry statements amount to nothing; indignation can produce no effect when it is not manifested in a right cause. The facts can be easily ascertained by reference to *Hansard*. I say that a most improper attempt was made last session to secure for the Timaru and Gladstone district a large quantity of land.

Mr. STAFFORD.—I deny it altogether.

Sir G. GREY.—That can be easily proved by *Hansard*. I was going to say that the proposal now made for the distribution of this Land Fund is to my mind most unsatisfactory. If it had been made concurrent with the Abolition Bill, that would have been a fair and proper course to take. I do say that the course taken is neither just, nor will it be satisfactory to the community as a whole. A statement has been made that next session some change is likely to take place. I cannot believe that the Government contemplate such a change: if they do, it is totally contrary to their statements made during the session, and the statements that they made last session—and I am in doubt as to what their intentions may be. We know that one member of the Ministry is of opinion that the Land Fund should be common. He is considered to be a great strength to the Ministry, and his friends say that he is in the Ministry in order that that end may be achieved. Whether or not they are correct in that statement I cannot say. Many gentlemen who have been acting with myself during the present session have been induced to be somewhat weak in their adherence to me, in the belief that that is to take place: that has been held out as an object worthy of their consideration. But if what is intended is the plan proposed by the honorable member for Timaru—that is, to fix some low price for the land, and to make that low price of land the common Land Fund, and to spend anything above that in the district in which it is raised—that, I believe, will not be satisfactory. I would rather that things should remain as they are. Where there is a large district of bad land, as in the North of New Zealand, that land cannot realize anything like a considerable price for many years to come; but where there is a large district of good land, there the land must realize a good price. In those districts where the soil is fertile, the inhabitants are certain to get wealthy from the occupation and cultivation of the land, while they will have the additional benefit conferred upon them of having the whole Land Fund realized upon that rich land, except the small proportion spent in their own district; while that portion of the country where the soil is indifferent, and in some places

absolutely bad, and where the people can barely obtain a living from it, will have nothing spent in it. What will be spent of the Land Fund, after the reduction is made, will amount to nothing at all. Such a proposal is not statesmanlike or satisfactory in any way. It is not a proposal for the good of the country at large, but it is one calculated to promote the interests of particular districts, and I protest against such a thing being done. On the whole, I consider that this is a measure that ought not to be pressed on in the present state of the country. Full time ought to have been given to the inhabitants to consider it. It is a most unfair thing to compel people suddenly to accept a measure dealing with their future welfare so largely, and of which measure they have no knowledge at all. I do still hope that the Government will agree to withdraw this Bill from operation until next session, and that they will allow the country, during the recess, to have full opportunity of considering it. If they are determined to consider the welfare of the country at large, then the manner in which they propose to lock up large districts of land for pastoral purposes, and the mode in which they propose that the land shall be paid for, cannot be justified. Both these proposals are unfair to the country, and to the people at large. Arrangements should be made that every man who purchased land should have the right to run his stock on the waste land in his neighbourhood, so as to enable him profitably to work his farm. The endeavour now made to perpetuate the state of things that exists, and to enrich a few favoured people at the expense of the mass of the community, is a most unjust and unfair thing. For the Government to force this measure through by the majority they obtained simply on the Abolition question, and which majority is certain to be assured to them until that question is settled, is a proceeding which is unfair, and one which this House should in every way resist. I shall certainly support my honorable friend in his attempt to get the passage of this Bill delayed until next session.

Mr. BOWEN.—Reference has been made in this debate to the forty-acre system established in the Province of Auckland. A very simple reason why the forty-acre settlers in Auckland have not prospered has been the smallness of the area and the poverty of the land on which they were put; for it is impossible for a man with a family to get a comfortable living out of forty acres of poor land. The proposal of the Government now is to give facilities for men who are prepared to settle with their families on the land to obtain 200 acres, and to allow them to pay for it in such a way that they can meet the payments by degrees out of the land as they break it up and settle upon it. The honorable gentleman who has just spoken calls the Government proposal one for locking up the land of the country; but I think that the proposal to deal with the land by way of sale upon deferred payment is the very best means of opening up the country; we know that a very large number of the inhabitants of all the provinces in New Zealand have been exceedingly anxious that

country available for settlement in the Province of Auckland is not of the kind to be found in many other parts of the colony. It is to a large extent poor country. It can never compete in the market with the land possessed by many of the more favoured provinces, and I contend that it is not fair to that province, under these circumstances, to impose conditions and limitations which may work very well in other provinces where the land is of greater value and possesses greater productiveness. You cannot alter geographical conditions; you cannot by an Act of the Assembly disturb the geology of a country. There are some persons who contend that the Geological Department of this colony has done no good; but, whether that be so or not, the fact remains that in Auckland you have a large area of country, which the authorities of that department will tell you is exceedingly poor. I wish it were otherwise; but the fact remains that it is so. There are, no doubt, tracts of land as good as any in the colony, and as fitted for settlement; but there are also large areas of bad and inferior land. The waste land laws of the province met the difficulty by providing for three different systems of settlement, of which this Bill ignores two, and curtails the third so as to make it practically inoperative. One of these systems was adopted first in 1870, by the Act then introduced by Mr. Gillies; and under that Act very valuable settlements were established; very good settlers were induced to come into the province, who took up land, settled down upon it, and became a valuable portion of the tax-paying community—men who made two blades of grass grow where only one had grown before, or rather who made many blades of grass grow where none had grown before. If these men had been called upon to purchase land situated at a distance from the market, and without roads or other means of communication, they would never have taken up the land; but they did so because the law under which they obtained the land enabled them to obtain a Crown grant for it on condition that they settled upon it. That is a provision which is absolutely necessary for the Province of Auckland if settlement is to be carried on there on any large scale; and this is the case not only in the northern part of the province, but in many places on the East Coast and in the interior. Another system which this measure abolishes is of even greater importance—that is, the provision for the formation of special settlements. Under that system, several highly valuable settlements have been established in Auckland. Nearly all the settlements in the North owe their success to their having been formed by men who came out together from Home, who reached this colony in bands ready to work together shoulder to shoulder from the start, to assist each other in the difficulties they had to encounter, and thus formed prosperous and thriving settlements. It does not become us, then, by a stroke of the pen, without inquiry and without consulting the people in any way, to sweep away the power of founding other settlements of that kind. I put it to the honorable gentleman who has charge of this Bill, and I put

it to the House, to say what settlement has taken place under the Public Works and Immigration policy, how many people have taken up land who have been brought out at the expense of the colony? I venture to say that if a return were furnished of the number of persons who have done so, it would be found to be infinitesimally small. The only people whom we have brought out under that policy are people who have been cast upon the colony, who have decreased the rate of wages, and who have for a time been employed upon our public works. But I undertake to say that the moment there is any depression in this colony, or a successful gold field has been found in another colony, or any other disturbing cause arises, that moment they will leave you for ever.

MR. CARRINGTON.—No.

MR. SHEEHAN.—My honorable friend takes a more favourable view of the matter than I am able to do; but I am afraid he will have to get his harbour constructed at Taranaki before he is able to get any of these people to settle down in his province. I say that taking the colony as a whole, from one end to the other, the population brought out under the Public Works and Immigration policy has been essentially a floating population, who will leave the colony to-morrow if they can find some other place where they can obtain better wages, and particularly as in other colonies the conditions as to land which you propose to abolish by this measure still exist. If men find that they can obtain higher wages and become permanent settlers on more favourable terms in other colonies, they will go there, and nothing will stop them. I cannot conceive why the Government should have swept away this provision with regard to special settlements. I recollect very well, and honorable members who were in the House at the time will bear me out in saying, that the establishment of the Katikati Special Settlement—the only sound settlement that has of late years been formed in Auckland—was absolutely dragged out of the Government: it was like drawing blood from them; but they were at last obliged to assent to it. They now evidently think that these special settlements are not desirable; but if we had not established that settlement, which is rapidly improving the district, and which is every day taking in fresh lands, we should have had in that place nothing but a howling wilderness. I put it to the House whether it would not be better to give our land to the right class of men than to keep it locked up as the dog in the manger kept the hay? I do think, looking at these facts, and as this Bill has been brought in apparently without much consideration, and without the people knowing anything about its special application to some of the provinces, we should not in a hasty manner pass a measure which will revolutionize our waste lands laws. What I should have preferred, and what I believe a great number of members of this House would have preferred, would be a Bill containing machinery to enable the Government to take over the administration of the waste land laws in the different provinces as soon as abolition takes place and until next session. I think

the Government should administer those waste land laws during the recess, and then they would for the first time be brought face to face with the administration of them, and would acquire that local knowledge and experience as to what conditions of settlement should take place which would enable them to produce a more satisfactory measure next session. What can the Waste Lands Committee, through which this Bill passed, know of the conditions favourable to settlement in Auckland? How many of its members have ever been there except to pay a flying visit? And yet with one stroke of the pen they would sweep away a system that has been established for years, to substitute a system which I contend will never work. I hold also that the time is not ripe for increasing the price of land. Every indication in the sale of estates, in commercial transactions, and in the price of wool, and other things that tend to make land valuable, is against the theory that it is right at present to raise the price of land. Against this it is argued that the colony has borrowed heavily, and carried out extensive public works in order to make the land valuable, and therefore the land should pay its share towards redeeming the indebtedness of the colony. But if you raise the price of your land above the market price of land in other places, and people can buy land cheaper in the other colonies, they will pass by our doors and go where they can make the best bargain. I am willing to concede to gentlemen from Otago, Canterbury, and other provinces, knowing the wants of their own provinces, that they may be right in raising the price of their lands, and that it will confer a benefit upon them; but I protest against their raising the price of land in Auckland, because it will amount simply to stopping all settlement in that province until the price is lowered again. I do not speak without book in this matter. I am not a landholder in the Province of Auckland, nor am I even a resident there now; but I say, in all sincerity, that the effect of putting this measure into force in the Province of Auckland will simply be to drive all settlement from the province, either to the other provinces or to the other colonies. If we have poor land, it is our misfortune; do not make it our crime. If a large quantity of our land will not find a ready market, do not make it a reproach to us that we endeavour to make it profitable in some way. If this measure passes and you increase the price of our land, you must shut up settlement; and I am bold to say that for the next five years after it comes into force there will not be five pounds' worth of land sold in the Province of Auckland. Is it fair that this province should be handicapped in this way? She was at one time the leading province in the colony; she is now the second in population and revenue, and if you allow her to work out her own destiny she will succeed; but if you do not, and if you impose such heavy conditions on her as this Bill provides, she will before long be compelled to linger in the race of progress. When such a result as that arises from the legislation of this House—legislation of a hasty kind, founded upon no experience and with nothing to justify it—I

say it is a crime on the part of the Legislature. I am quite aware of the financial objections to this measure. My honorable friend the Premier will tell me that it is an argument which requires consideration to enable me to reply to it—that we must make public works, and carry on our institutions. I quite admit it; but I tell him that abolition was obtained on different grounds. The people were told that they were going to have everything—their roads, their works, their government were to be better and more economically carried on than under the old system of separate provinces. I maintain that under the old system we managed at all events to struggle on, and we had liberal land laws which enabled our province to become settled; but now you are going to deprive us of the benefit of the measures which best suited our requirements, and to reduce us to a condition which will make us assume but a small position in the colony. The whole subject is rife with complaint. I may add, as bearing upon this subject, that from 1871 to the present time the colony has been buying what it has facetiously termed a waste lands estate for Auckland. Hundreds of thousands of pounds have been spent, and I forget how many persons have been employed upon this work; but I would ask, what are the results? The results are infinitesimal. You may still see from year to year, in the reports of the Native Minister, the black lines of figures showing the quantity of land purchased in Auckland, but a very small portion of that land has been placed in the hands of the provincial authorities to deal with. There really appears to have been a determination on the part of the General Government—I do not allude to the honorable member now at the head of the Government, but to his predecessor—to compel the province to go in for abolition by taking away its land, and thereby preventing its keeping up its revenue. Even in the Waste Lands Act of 1874, the most unjust provisions were put in against my Bill, which practically shut up the lands of the province from settlement; and I contend we shall be making a very great mistake now if we pass this Bill. It will be a great mistake to put a stop to a waste lands system which had been proved to be suited to each district; and the House cannot be justified in passing a measure which shuts the door to progress, and makes settlement impossible. I trust the honorable member in charge of the Bill will further consider this question—that he will be able to see his way to give further consideration to it during the recess. I cannot understand how he could possibly have come to the conclusion that, by raising the price of land in Auckland, the operation of the homestead system and of the special-settlement system is likely to prove beneficial to that province. If, to keep up the finances of the colony, and to justify abolition, it is right to sacrifice a large section of the community, he may perhaps see it, but I certainly cannot. But if he believes, as I believe he does, that it is only fair to allow each part of the colony to work out its own destiny, to introduce population and strive for its prosperity, then I think he will withdraw this mea-

sure, and take twelve months more to consider in what way it is expedient to modify the waste lands regulations of the different parts of the colony. I do not now speak of other parts of the colony than Auckland. No doubt, so far as Otago and Canterbury are concerned, the Bill contains provisions suitable to them; but as for the part of the colony from which I come—knowing its wants as I do from many years' experience, and from frequent journeys through it from one end to the other—I say, if you intend to carry out this measure, you may as well tell the people that no more population shall enter until you have again reduced the price of the land. I hope the honorable gentleman will see his way to adopt the suggestions I have made on this subject. I have just been handed the following telegram:—

“Auckland, 24th October, 1876.

“To Sir G. Grey.

“A gentleman is here, accredited by a large English Temperance Society. Object: To purchase tract of country for settlement by immigrants who are total abstainers. No power to sell large tracts for such purposes. He would buy 100,000 acres if there was anything suitable, and is now gone north to see some blocks. Would it not be well to have power given by new Act or amendment of existing Act to meet wants of this kind?”

“READER WOOD.”

This is a case in point, and will tell more in favour of my arguments than anything I could say. It is absolutely impossible, under the law which the Government has introduced, to meet proposals for special settlements of this character. Would any one say that it was a proper state of things, when a proposal of this kind, coming from a number of respectable people who would be almost certain to make good and industrious settlers, could not be accepted, when the provincial authorities would be obliged to say, “We cannot make provision for your wants; you must go to some other place?” Between the years 1872 and 1876, if the land had been in the hands of the Provincial Government, there would have been a dozen special settlements established in Auckland. In 1874 and 1875, numerous applications were made to me, as Provincial Secretary, for land for special settlement, and I was compelled to give the people the same answer that the land had not been handed over to the province, and that we could not give it to them. It would have been wise and fair to have given the Provincial Government legal power over the land. After the experience of the Katikati settlers with the General Government, I think the people will become chary of these matters. If a hundred people came into this colony intending to settle and to take up land, it would be well even to give them the land. The country otherwise would be idle and unoccupied, and be a positive loss to the Government who bought it. If the people were living upon the land, they would contribute to the exports and imports of the country and to the local taxation; and although no price was received for the land, yet a return would be received from the occupation of it. At present, every difficulty was thrown in the way of a number of people

who desire to form special settlements; and yet three or four gentlemen resident in the colony, who desired to obtain large blocks, experienced no difficulty whatever in getting them at a cheap rate. I consider that to be a blot upon the administration of the lands of this colony. Certain people in the colony can obtain the land, and can have concessions made to them, while every obstacle is thrown in the way of people of moderate means who desire to come and settle in the colony. I am sorry for taking up the time of the House, but the question is one of great importance indeed. I wish the honorable gentleman in charge of the Bill to understand that I do not take exception to the Bill through any party motive. I expect to have as many Government supporters voting with me as members of the Opposition. The subject is one of too grave importance to make it a party question. It is a matter of life and death; and if they persist in carrying out this law, and if they obstruct settlement in the Province of Auckland in the way now proposed by this measure, serious evils will ensue which they will be unable to cope with, exhaustive as their powers of issuing Treasury bills may be. If there had been no restrictions placed on the settlement of the land during the last thirty years, there would have been a much larger population in the country, the revenue would have been very considerably increased, and the Government would have had ample means for carrying on the administration of the public affairs of the country. I intend to move that the Bill be committed this day six months; but if the Government will give me an assurance that they will consider the points I have raised when the Bill is in Committee, I will not press the amendment. I know that the Government must have some system of administering the waste lands during the recess. Much will depend upon the successful administration of the waste lands of the colony. A measure that will confer substantial benefit will be one that will deal with the waste lands of the colony in a fair and impartial spirit, and which will promote settlement. I beg to move, as an amendment, that the Bill be committed this day six months.

Major ATKINSON.—The speech of the honorable member is one of very considerable interest, and contains some points which deserve the very careful consideration of this House. The honorable gentleman was rather inconsistent in some of his statements, because he started by telling us that a large portion of the land in Auckland was quite worthless, and yet that a great deal of the settlement which had taken place had been under the homestead system. I will say distinctly, that no settlement under the homestead system can be successful upon bad land: any person who knows any thing about land will know that. The honorable gentleman told us that if the land had only been in the hands of the Provincial Government, we should have had some five or six special settlements in the Province of Auckland. I confess that, to my mind, those statements appear to be very contradictory. As a matter of fact, a good deal of land has been in the hands of the Provincial Government for some years.

There are at present in their hands over 400,000 acres of land purchased out of the Immigration and Public Works Fund—a great deal of which, I am informed, is very good land. These are facts which I do not know whether the honorable gentleman was aware of or not; but they cannot be disputed. One question which the honorable member raised is very old—namely, the question of a sufficient price for land. I am not going to attempt to argue that question now; but I will point out this fact, that if we are going to give away the land, those persons to whom it is given must be content to do the whole of the public works in the district. There are no funds available in the colony for carrying out local public works other than the money which is obtained from the land. If we are going to give away the land, then the people themselves will have to carry out the public works. I will put it to any honorable member who has had anything to do with the settlement of land, if it is possible that persons who would take up 40, 50, or 100 acres of land for the purpose of settlement are persons upon whom we could depend for the carrying out of local public works. Such a system as that must necessarily fail, even on the best land, unless the circumstances are very peculiar; and it must inevitably fail if the land is bad. It is absolute cruelty to hold out inducements to persons to come to the country and take up forty acres of land, if it is known that a large portion of it will be white clay, and worthless. Nothing but disappointment can come from that. I will take leave to inform my honorable friend that the chief settlement that has taken place for some years past in the Province of Auckland has not been through the inducements held out by the Waste Lands Regulations, but through the confiscated lands of the province. The Province of Auckland would not have been in the position it is in now if that had not been so. Had it not been for the initiation of the Public Works scheme, the lands in the Province of Auckland would have been useless. That scheme has tended to the settlement and opening up of the country, and to the improvement of the land. I consider that we should make a great mistake if we gave away the land, and I am prepared, on behalf of the Government, to take a stand on that, and to say that we are not in the future prepared to give land away on such conditions as it has been parted with before. I make that statement after a careful consideration of the whole question. If we could be convinced that the giving away of land free would produce settlement, we should have no difficulty in consenting to the honorable gentleman's proposals. But I am quite satisfied in my own mind, and I believe the country is satisfied, that it is impossible, if we gave away the land, not to retard settlement to a very great extent. The Government have come to the conclusion for the present year—for this Act is only a temporary one—not to raise the price of land anywhere, but to leave it all over the colony as it now stands. In the present state of the country, the Government cannot agree with my honorable friend's proposal to allow of a system of giving away land. Now, with regard to

the question of special settlements, I am one of those who believe that under certain conditions special settlements might be very advisable. We all know that the whole settlement of this country has been by special settlement. Of course, all those who originally came out here might be called special settlers, and very successful settlers they have been. I am prepared to defend the administration of the confiscated lands as being very successful on the whole, and I do not admit the insinuation of my honorable friend that that administration has been in the interest of a class. I will say, without fear of contradiction, that the administration of the confiscated land has been very successful. With regard to special settlements, I am of opinion that it is not desirable to have a general clause in any Act, empowering the Governor, or the Executive Government of the day to make agreements with any person or body of persons by which the public estate can be disposed of. I apprehend that one great difficulty during this session, has arisen out of the fact that the Government had a discretionary power of dealing with the public estate. With regard to the gentleman to whom my honorable friend has referred, Mr. Broomhall, that gentleman has come out to this colony representing a very large amount of capital and a great number of persons, with the view of taking up a large quantity of land for special settlement. The Government have been in communication with that gentleman, and were aware of his intended coming before he left England, and of the reasons which brought him out. It was principally on the recommendation of the Hon. Mr. Fox that he came out. We have had several communications with Mr. Fox on the subject, and I hope to see Mr. Broomhall here in the course of a few days. I say, distinctly, that rather than have a general provision in any Act, it is better that special cases of this sort should be dealt with directly by this House; and that is the position that we took up when we refused to put in this Act power to grant land upon special conditions. After some experience, it is, to my mind, unquestionable, that this House should relieve the Government from the duty of dealing specially with the public estate. We have all seen the effect of it. Ministers are subjected to accusations which no honorable man should make, and which it is almost past bearing that any honorable man should be subjected to. Therefore, I say that the time has arrived when the House should relieve any Government of the power of making such agreements, and should take the matter into its own hands. That seems to me to sufficiently answer my honorable friend when he says, "Why don't you provide for special settlements?" I think I have answered most of the questions which my honorable friend has raised, and will simply add, that this Act in some form is absolutely necessary. We must make provision during the present session for the change in the form of government which is now about to take effect. The Act has been very carefully prepared, and grants to the Boards every power which it is possible to give to local authorities, transferring powers from the Superintendents to the

local Boards. If we were merely to stand upon the Abolition Act of last session, the Governor would require to do a large number of things which it is not at all desirable he should be called upon to do; and it is to my mind exceedingly undesirable that we should centralise in this matter in any particular that can possibly be avoided. I trust, then, that the House will not listen to the proposal of the honorable gentleman for postponing the committal of the Bill for three months. One point in respect to which it deals generally with the waste lands of the colony is the system of deferred payments. In the opinion of the Government, the time has arrived when land should be thrown open all over the colony to persons possessed of sufficient means to cultivate it, but who do not possess sufficient capital to both buy and cultivate land. The system proposed by the Act is eminently fair, and it effectually meets the question raised by the honorable gentleman as to the settlement of the country; for I am quite sure that anybody who wishes to settle in Auckland, or in any other part of the colony, will be able to do so far better under the deferred-payment system now proposed, than under any such plan as the homestead system of Auckland. I hope the House will consent to pass the Bill. I shall in Committee move the alterations I have indicated with regard to the price of land, which I propose to leave in all cases, as it is now, for first, second, and third class land; and I propose to add a power which is now possessed by several Waste Land Boards, of allowing each Board to put a special value upon any land which it thinks is of special value.

Mr. HODGKINSON.—This is one of those Acts based upon the assumption that abolition is to be carried out. I entirely and thoroughly oppose that view, because I consider abolition to be both illegal and impolitic. Therefore I shall not vote for the second reading of this Bill; but it was not for the purpose of stating this that I rose. I desire to express my regret that the Government have not thought it fit to embody in the Bill the principle of giving free grants of land under the homestead system. I am aware that, after what the Premier has said, the idea of getting a vote of the House in favour of such a principle is utterly hopeless, and I shall confine myself to a very few remarks. The Premier, in dealing with this question, showed that he was not acquainted with the history of colonization. So far from the homestead system not being of use in effecting settlement, history proves that no other system has been so effective in colonizing countries. If we go back into ancient times we find that perhaps the most successful colonies of the old world were the Greek settlements in Ionia, in Asia Minor. The poorer classes that went out to colonize received land free, while the richer class who remained at home had to pay for any interest they acquired in the land. Then, in the early American colonies the same system was carried out with most beneficial results. Besides, every one but the Premier knows that all the Australian colonies were founded upon that principle. In New South Wales and Tasmania, free grants of land were given to the early settlers

with very satisfactory results. I can state from my own experience in the Province of Auckland eighteen or twenty years ago that the free-grants principle worked there on the whole very beneficially, although it was but a very imperfect system. It has been carried out on a most prodigious scale in the North American Continent, and I could produce documents to show—I did not know this discussion was coming on, or I would have been prepared with figures—that the President of the United States has stated that no other system ever produced so much settlement in that country. It was stated that in one year some millions of acres were taken up under free grants, and the President went so far as to say that the Government should give up expecting a revenue from the sale of land, and should prefer to give it away in order to secure settlement. In Canada and British Columbia, a system of free grants was carried out, and that was the case in Chili in South America. Yet the Premier told the House that the system was of no use in inducing settlement. I must express my very great regret that a system of giving free grants has not been embodied in the Bill. If I had the slightest hope of the House listening to any argument I would say more, but I will simply enter my protest against the omission of this principle from the Bill.

Mr. STAFFORD.—I am unable to agree with the last speaker on the subject of giving away the land. I have never in all my life had any prejudice upon the subject of the disposal of the waste lands of the Crown. I have read almost every work in the English language that has been written upon the subject of colonization for the last thirty years, and during that period have read many works of older dates, and down to the most modern times. I have always approached the consideration of the question with a view to approving of the system which would most speedily settle a country without reference to the price of land, and was prepared to give away land or to charge £10 or £50 an acre, whichever would be the best; and I have come, after much reading and long experience upon this subject, to the belief that no less favourable a mode of settling a country than giving the land away was ever yet proposed. We see from the very earliest and oldest settlement in Australia that the losses attendant upon this system were nearly as great in Tasmania and New South Wales as they were in Western Australia, arising solely from giving large free grants of land. In the latter colony there was no combination of settlements, no aggregation of communities in any one instance for the purpose of mutual help and support; and the people to whom these estates have been given away in large or small areas simply deserted them in a short time, selling the land in some cases; but they never attempted to settle upon it. In this country we cannot compare anything we may do with what may be the practice in the United States of America, or even in Canada. The homestead possessors in America are merely frontier pioneers who succeed that class who, a few years before, took their rifle in their hands,

and went out into the wilderness partly for the purpose of leading a wild life amidst game and Indians. Those who take up land now, under the free grants, are simply a little in advance, a little more civilized, and a little more settled in their purpose than those earlier and sporting pioneers who went out into the wilderness with their rifles; but these people do not settle in the country they first take up; they sell out in a very short time to others who follow for the purpose of settling permanently, while they go forward in the same peripatetic and unsettled manner further into the wilderness. These men are forced out, as the advanced guard of an enormous and increasing population, with a background of millions of people and large towns growing up with a rapidity which no other part of the world has yet seen. All that forces these people out into the back country: but we have got no such back ground in this country; we have no such supply of frontier pioneers; we have nothing of the kind; but we have a people in this country to whom I am bound to say it is a matter of advantage not to separate too far from those other communities with which they were in the first instance connected. The shorter distance they go the greater will be the advantage of settlement, the less will they be cut off from every advantage of settlement in the way of education, medical assistance, religious services, and other matters, apart altogether from the point of view as to means of transport of their produce to market by roads. As a specimen of the effects of this system, I will refer to Auckland, where for a great many years they gave away land to persons who paid their own passages to the country. That system has been in operation in Auckland for seventeen or eighteen years. The honorable member for Rodney expresses dissent, but I visited Auckland before the honorable gentleman grew up to manhood. For nearly twenty years I have had some connection with the administration of general and provincial government there, and I have had many interviews with successive Superintendents upon this very question. In 1869, when I was at Home, I co-operated with the then Superintendent of Auckland, Mr. Williamson, in initiating a system of giving away land in that province to intending settlers. I had communication with the agents for the Province of Auckland for obtaining immigrants to send out. That was in 1869; and therefore, in saying that the system has been in operation for seventeen or eighteen years, I was not far from the mark.

Mr. SHEEHAN.—It ceased in 1870.

Mr. STAFFORD.—The honorable member says it ceased in 1870. I should like to see a return of the number of persons who ever settled upon the land they thus obtained. I venture to say there were not 5 per cent. of those men who ever settled upon the land they were entitled to. It is within my own knowledge that the land orders were bought up in shoals by public-house keepers and other persons in town, out of which these so-called and intended settlers never went. So much for this system of giving away land. The question of the price of land is not before

the House now, because the Government have proposed to leave the price until next session as they found it, as it is in existence; but there is a very considerable amount of difference of opinion as to what the price of land should be. I am very largely of the opinion of those who hold that it is much more advantageous for a State to retain the possession of land, and to let it upon lease, than to sell it for a merely nominal price. There are some people, the honorable member for Dunedin, Mr. Stout, for instance, who go further than that, and say, in regard to all descriptions of land, that it is disadvantageous to the State to part with its public property. I am not prepared to go that length, and partly because I think it is at variance with the instincts and sympathies of the English race, and certainly very largely at variance with the feeling that has induced people to come out here in order that they might acquire land upon which they might live. Even if it were, in a politico-economic point of view, the best way of dealing with the public estate, it would not be in accord with the feelings that induce people to settle a new country. But between the position of refusing to sell land at any price, and that of squandering it away, if I may use the expression, for a few shillings or pence, there is a very wide gulf. I am fast coming to the belief that it is unwise and prodigal, not only in a pecuniary point of view, but also from a more extended point of view, to encourage them in the delusion that they are getting estates for themselves and their families at a low rate. These men would be the first sufferers under such a system. It would be much better to allow them to occupy land under agricultural leases, a system which has worked with advantage in some parts of the colony, and with very much success in the Province of Nelson, as my honorable friend (Mr. Curtis) will allow. Honorable gentlemen who come from Otago can also tell us that during the period that system has been in operation in that province, it has been eminently successful. I would like to see some system of that sort adopted, instead of giving away the fee-simple at a nominal price. Then there is another question to be taken into consideration in connection with the price of land. There is a large portion of the colony that calls out to have the Land Fund made colonial revenue; and there are a large number of people who hold that the financial condition of the country would be improved if the Land Fund were more largely drawn upon for the execution of our large colonial works, and I am amongst them; but I am not at all prepared to extend the benefits of a universal colonial Land Fund, derived from the sale of land in some of the provinces at very high prices, to those communities which have given their land away. I shall never be found amongst those who are at all inclined to adopt such a principle as that. It would be grossly unfair to those districts which have steadily insisted upon getting a high price for their land. I am content that we should say, "Up to a certain price, the whole of the receipts shall be colonial; but above that certain price, the receipts shall go to the district in which they are raised, and shall not be colonial

properly." In any way that we can meet both branches of the question, I shall be prepared to go; and it will be for those who have parted with their lands for a few shillings an acre to consider that, if that principle is to obtain, they are not very likely to get a very large share of the Land Fund of districts which have sold their land at a fair price. I am glad that the question of deferred payments has been made part of the principle of the Bill, but I should like to see a stronger administrative power, at least a more defined one, given to the Government for the purpose of determining the districts where the deferred-payment system shall be exercised. I am quite certain that if the Government does not take means to secure settlement on such a system that the small proprietors can be put down within convenient distances, so that they can hold tolerably easy communication with each other, and so that the holdings of small farmers shall intersperse the larger estates, the result will be very disadvantageous to the colony. I know a portion of New Zealand where an area of country 200 miles long is completely shut off from the rest of the colony through being in the hands of large proprietors. In districts such as these, the carpenter, the blacksmith, the shoemaker, or any other handicraftsman whose presence would be beneficial, is altogether unknown; and I have known instances where a blacksmith has absolutely had to beg, hat in hand, for a bit of land big enough to build a shop on, the Government having parted with all their right in every acre of it. Now, if we are going to continue the possibility of that system—that is, the aggregation of these large estates without interspersing them with small holdings—we shall experience none of the benefits derivable from settlement, and our immigration policy will result in comparative failure. If you do not give ground to persons who are prepared to hold small tenements they cannot and will not remain in the country. They will go to those countries where better provision is made, and where they can remain. Therefore I desire that the Government should carefully consider whether there is sufficient administrative power to insure that in addition to the capability of acquiring large estates there is a power to plant communities of small proprietors, either on the deferred-payment or any other system.

Sir R. DOUGLAS.—I have very few remarks to make on this subject. I gather from the speech of the Premier that he is going to put back the Auckland lands to their original price. So far so good. But the honorable gentleman made a remark to the effect that he expected to be able to construct our public works out of the money derivable from the sales of land. Now I have already pointed out to this House that we have millions of acres unsold, and through which a road has never been made; and if the honorable gentleman means that any money derived from the sale of that land must go towards the construction of works in any other portion of the colony, I cannot agree with him. If he had said that the money derived from the sale of the land was to be devoted to the making of roads through it, I should have agreed with him thoroughly.

We find that the cost of maintaining the gaols, lunatic asylums, and other public institutions is to be charged against the local revenue, and I should have imagined that the making of roads would have been a first charge against the proceeds of land sold: in fact, I have always been led to think that the wisest thing for a nation to do was to open up the land first, and sell it afterwards. And so it should be with regard to roads. Wherever a block of land is to be opened up for sale, roads should be made through it first; but the contrary has been the case in the Province of Auckland, and is likely to be the case everywhere throughout New Zealand. Whether that principle is right, I shall leave the Government to decide. I shall not oppose the Bill, and I hope the honorable member for Rodney will withdraw his amendment and leave all responsibility—the credit or the blame—with the Government. The Premier referred to the forty-acre system. Well, Sir, let me say that under that system some of the very best settlers in the Province of Auckland at the present moment were brought out. I do not think any one in the province will deny that. But while the best men were brought out, they were given the worst land. I remember the case of two brothers who were placed on land of this description. They were too proud to beg, and, being unable to make a living off the land, one of them, who remained on the section, was found dead at his own fireside one day. They say heart disease killed him. "God knows it was starvation!" The system was not successful, because they got none but the poorest land. After listening to the speech of the honorable member for Timaru, two questions presented themselves to my mind. Either the nation must make a revenue out of the land for general purposes, or the land must be used for purposes of settlement and maintaining population. From the speech of the honorable member for Timaru, I gather that he is anxious to make money out of the sale of land. If that is to be the case, there is no use arguing the point at all. I hold the opposite view. I think we should not aim at making money out of the sale of land. The whole of the proceeds from this source should be used in introducing and settling people in the country. It is much better that we should make revenue from people living on the land than that we should sell the land itself. However, I shall not oppose the Bill, but will leave any blame or credit connected with it at the door of the Government.

Mr. MANDERS.—I was not in the House when the Bill was read a second time, but I read the debate which appeared in *Hazard* with great interest. I am sure the country will read with a great deal of interest the speeches of the Premier and the honorable member for Timaru in reference to the land question. I was glad to hear the Premier say he would not, at this late period of the session, deal with the question as to raising the price of land. When the late Premier said it would be necessary to increase the price of land throughout the colony, I entirely concurred with him; but at the same time in a session in which our principal duty is to supply the needs

of population, I think the question as to the price of land might very well stand over for another year. I am, however, gratified that such feelings prevail in reference to the land question. The announcement of the Premier that the Government would endeavour to promote the settlement of the people on the soil will be read with great pleasure throughout the country, and so also will the statement of the honorable member for Timaru that he intended to support them in giving effect to that view. I trust the House will endeavour to make the Bill workable, and in doing so I hope it will not forget that part of the Act which allows the deferred-payment system to be extended to the pastoral lands of Otago. The Canterbury members might well assist the Otago members in that direction. There is a kind of compromise between honorable members who own runs in Canterbury and the different tenure in Otago; and it must be patent to this House and to members who come from various parts of the colony that the pastoral holdings have to a very great extent interfered with settlement in the past. The assurances of the Premier and the honorable member for Timaru that we shall see a better state of things in the future will be very acceptable to the country; and I hope the House will see its way to carry out a system of settlement which must tend greatly to accelerate the progress of the colony. We want to see an industrious class of people settled on the land—not the class who come out to the colony with land orders, or a class who get Volunteer land orders, who, as a rule, sell their orders to the first bidder, but a class who will become attached to the soil, and have an interest in the country. I hope the deferred-payment clauses will receive the careful consideration of the House before they go to the other branch of the Legislature. I was very much pleased indeed, coming to this House a new member, and having read in former years so much of the debates that took place here, and of what were called Otago free-fights, to see that the late Premier had introduced a general Waste Lands Bill. I think the views of that honorable gentleman showed a kind of cordiality and agreement between different parties; and if those views are maintained in this Bill, and it is then sent to the other branch of the Legislature, I have no doubt they will receive the consideration which is necessary. I thought it necessary to make these remarks, as I had no opportunity of speaking on the second reading; and I have now only to express the great pleasure I feel at the liberality with which the land laws of the colony have been dealt with in this measure.

Mr. FISHER.—I wish simply to ask the Government one question. How are they going to deal with the waste lands in the Province of Canterbury? I see it is intended by this Bill to leave them in the hands of the Waste Lands Board. I have no fault to find with that body. They do their work well, and have regulations to comply with; but I say it is not right to leave the management of the large estates of that province in the hands of a totally irresponsible body. If that is to be done this session, I shall

vote against the committal of the Bill. If this land is to be assessed at all, it should be done in a proper manner. Why not appoint some independent persons to assess it, and not mere nominees of the Crown? I have seen quite enough of the management of these lands to be very jealous indeed as to the way in which they are dealt with. If it is to be left to the Waste Lands Board of Canterbury to assess these lands for the runholders, without reference to this House, I shall oppose this Bill in every way I can.

Sir G. GREY.—I do not think I ought to allow the House to remain under the erroneous impression that I am afraid the speech of the honorable member for Timaru must have created. I shall speak on this subject only what I know myself. I shall not now speak of what I have read in books, but of facts within my own cognizance, and with regard to which the House has been entirely misled by the honorable member for Timaru. In the first place, he represented Western Australia as the oldest settlement in Australia, putting New South Wales afterwards. I may say, however, that Western Australia was settled long after New South Wales. Then he said in the most authoritative manner that the failure of Western Australia as a settlement was to be attributed to the large grants of land and to the price of the land. I can say, from my own knowledge of the subject, that the honorable gentleman was wrong in that statement. It is impossible that a more erroneous statement could be made. The fact is that the grants made were in some instances mostly sandy desert, on which it was impossible for settlers to succeed in making a living. The greater part of Western Australia that was settled consisted of small fertile strips of land along the rivers, with large tracts of bad land between them. The country was only capable of carrying a sparse population under any circumstances, and the failure of the settlers to accumulate the wealth that settlers in other colonies did is to be attributed, not to the price of land, not to the large grants of land that were given, but to the necessity of putting the settlements far from one another, owing to the inferior quality of the land. I can assure you, Sir, from long observation and consideration of the subject, from the fact of owning land there myself, and from every circumstance that could give a man personal knowledge, that that is the real cause of the non-success of the settlers in amassing wealth. They have lived, however, in great comfort, although they have not acquired wealth; and I do not believe there are any settlers in the world who are happier or live more comfortably than they do. The same remark was made with regard to the forty-acre settlers in Auckland, but that remark was fully answered by the honorable member for Marsden. I declare to the House that many of the forty-acre settlers are amongst the ablest and most energetic men I have ever met, and that they form a community, in the part of New Zealand in which they reside, which will hereafter be one of the most valuable anywhere in the colony. The honorable member for

Marsden went further, and said that the real cause of the non-rapid success of the forty-acre settlers was that the best lands were not open to them. It is within my own knowledge that that is absolutely the case. I recollect particularly being told by one gentleman of great experience, who had travelled throughout the whole of that part of the country with a view of choosing land himself, which ultimately he did not do, that wherever he came upon a good block of land it was reserved. I appealed to the authorities, and they told me that as the settlers became numerous this land would be sold for a great price, and these blocks were reserved with that view. I could not make those gentlemen understand that it would be infinitely better to put the first settlers on the good land, because by their presence there and the improvements they would make they would increase the value of inferior land in the neighbourhood. It was in vain to argue with them in that way. But I say there has been no failure in the forty-acre settlements; they are forming the nucleus of the most thriving population in the country. The district is full of settlers of a most excellent character and most enterprising people—people living in great comfort, reconciled to their position; with their farms gradually increasing in prosperity, and now carrying small flocks of sheep in almost every instance. Altogether I do not think there is a more contented or happier community in the colony, although living in poverty as compared with settlers in other places, partly from being placed upon bad land, and partly from no roads having ever been opened up there. That is one subject which should undoubtedly demand the attention of the House. That part of the country abounds in good harbours and tidal rivers, ending in streams of considerable magnitude, which are available for mill-power and for fertilizing the country; but there is no road reaching them from Auckland or any other place, and their only mode of communication with Auckland is in this manner: Steamers, hitherto subsidized by the local Government, visit the islands and rivers, calling at different places along the coast. When one of these steamers enters a river, you find a large number of the community congregated together, and some twenty or thirty flat-bottomed boats, containing the poultry, butter, fruit, eggs, and general farm produce of the settlers. These they place in boxes on board the steamer, receive the return boxes, the steamers go away, and then the boats disperse in every direction. It is only by means of steamers of that kind that they are enabled to live as they do. Their non-rapid success as compared with other places is to be attributed to their not being placed upon the best land, but upon very indifferent land, and to the fact that no money has been spent in opening up communication with the district, or in erecting wharves from which to ship their goods. I will give one instance of what I myself have seen in the Matakana River, which will show how these settlers are situated. The steamer calls there twice a week, and then twenty or thirty flat-bottomed boats assemble at the place. It was a

matter of the greatest importance that a jetty should be erected there. That would cost about £350 or £300; and the settlers themselves agreed to put up a store on the end of the jetty in which to place their produce, so as to have it ready when the steamer arrived. The jetty could be so erected that the steamers could go alongside it at any tide; but the General Government actually would not allow the provincial authorities to spend the money. There appeared to be some idea in their minds that there was some electioneering purpose in the proposition. Such was in no way the case. It was the same thing with regard to Wangarei. That is the most important place along the coast, and I am told that it would be easy to put a jetty in the tidal river there; but no jetty has been erected there. The consequence is that when the steamer gets there, it may be in the middle of the night, you are put into a boat and have to take your chance as to how you will land. No provision whatever has been made for the people inhabiting the country I speak of in any way, as has been done in other parts of New Zealand. That is no doubt to be attributed in part to their having been deprived of their Land Fund. It is a matter of great regret to my mind that, in all measures for the administration of the waste lands, nothing fair has been proposed with regard to the Land Fund. I brought forward certain resolutions this session which were called the "Separation Resolutions," which did make a fair provision for that purpose, and which were supported by a large number of the Southern settlers. We have the Premier now telling us, with a sort of glorification, that the present administration means localization of the Land Fund. I was sorry when I heard him say that, for I do not think that his proposals, or even the proposals of the honorable member for Timaru, are in any way satisfactory. Last year, when those proposals were brought forward which were to result in abolition, the honorable member for Timaru made a strong effort to obtain four millions of acres of the public lands, besides a large sum of public money, for the Timaru district.

Mr. STAFFORD.—Last session I asked for nothing for Timaru. When I did ask for anything, it was for 50,000 acres—not 4,000,000 acres.

Sir G. GREY.—There was a clause put into the Abolition Act which covered that, although there was no open statement made as to the effect that the clause would have.

Mr. STAFFORD.—The honorable member is altogether misinformed with regard to what took place.

Sir G. GREY.—I am not misinformed on the subject. There are many honorable gentlemen now in the House who recollect what took place last session.

Mr. DIGGAN.—The Timaru and Gladstone saving clause was put into the Abolition Bill.

Sir G. GREY.—I am perfectly right. I believe I am perfectly correct in what I say. I recollect myself the surprise and concern with which I heard the nature of the proposal, and I recollect that the honorable gentleman did not deny it then as he has done now.

Mr. STAFFORD.—I absolutely deny it, from first to last. The honorable gentleman must not attempt to put upon me any concurrence in his interpretation of any clause. I refuse to allow the honorable gentleman to reiterate statements which I have denied. The denial of any honorable member of this House ought to be accepted. I would ask the honorable gentleman to observe the same courtesy in this House which in private life one gentleman shows to another.

Sir G. GREY.—I have simply to say that a reference to what took place last session will decide this question. Angry statements amount to nothing; indignation can produce no effect when it is not manifested in a right cause. The facts can be easily ascertained by reference to *Hansard*. I say that a most improper attempt was made last session to secure for the Timaru and Gladstone district a large quantity of land.

Mr. STAFFORD.—I deny it altogether.

Sir G. GREY.—That can be easily proved by *Hansard*. I was going to say that the proposal now made for the distribution of this Land Fund is to my mind most unsatisfactory. If it had been made concurrent with the Abolition Bill, that would have been a fair and proper course to take. I do say that the course taken is neither just, nor will it be satisfactory to the community as a whole. A statement has been made that next session some change is likely to take place. I cannot believe that the Government contemplate such a change: if they do, it is totally contrary to their statements made during the session, and the statements that they made last session—and I am in doubt as to what their intentions may be. We know that one member of the Ministry is of opinion that the Land Fund should be common. He is considered to be a great strength to the Ministry, and his friends say that he is in the Ministry in order that that end may be achieved. Whether or not they are correct in that statement I cannot say. Many gentlemen who have been acting with myself during the present session have been induced to be somewhat weak in their adherence to me, in the belief that that is to take place: that has been held out as an object worthy of their consideration. But if what is intended is the plan proposed by the honorable member for Timaru—that is, to fix some low price for the land, and to make that low price of land the common Land Fund, and to spend anything above that in the district in which it is raised—that, I believe, will not be satisfactory. I would rather that things should remain as they are. Where there is a large district of bad land, as in the North of New Zealand, that land cannot realize anything like a considerable price for many years to come; but where there is a large district of good land, there the land must realize a good price. In those districts where the soil is fertile, the inhabitants are certain to get wealthy from the occupation and cultivation of the land, while they will have the additional benefit conferred upon them of having the whole Land Fund realized upon that rich land, except the small proportion spent in their own district; while that portion of the country where the soil is indifferent, and in some places

absolutely bad, and where the people can barely obtain a living from it, will have nothing spent in it. What will be spent of the Land Fund, after the reduction is made, will amount to nothing at all. Such a proposal is not statesmanlike or satisfactory in any way. It is not a proposal for the good of the country at large, but it is one calculated to promote the interests of particular districts, and I protest against such a thing being done. On the whole, I consider that this is a measure that ought not to be pressed on in the present state of the country. Full time ought to have been given to the inhabitants to consider it. It is a most unfair thing to compel people suddenly to accept a measure dealing with their future welfare so largely, and of which measure they have no knowledge at all. I do still hope that the Government will agree to withdraw this Bill from operation until next session, and that they will allow the country, during the recess, to have full opportunity of considering it. If they are determined to consider the welfare of the country at large, then the manner in which they propose to lock up large districts of land for pastoral purposes, and the mode in which they propose that the land shall be paid for, cannot be justified. Both these proposals are unfair to the country, and to the people at large. Arrangements should be made that every man who purchased land should have the right to run his stock on the waste land in his neighbourhood, so as to enable him profitably to work his farm. The endeavour now made to perpetuate the state of things that exists, and to enrich a few favoured people at the expense of the mass of the community, is a most unjust and unfair thing. For the Government to force this measure through by the majority they obtained simply on the Abolition question, and which majority is certain to be assured to them until that question is settled, is a proceeding which is unfair, and one which this House should in every way resist. I shall certainly support my honorable friend in his attempt to get the passage of this Bill delayed until next session.

Mr. BOWEN.—Reference has been made in this debate to the forty-acre system established in the Province of Auckland. A very simple reason why the forty-acre settlers in Auckland have not prospered has been the smallness of the area and the poverty of the land on which they were put; for it is impossible for a man with a family to get a comfortable living out of forty acres of poor land. The proposal of the Government now is to give facilities for men who are prepared to settle with their families on the land to obtain 200 acres, and to allow them to pay for it in such a way that they can meet the payments by degrees out of the land as they break it up and settle upon it. The honorable gentleman who has just spoken calls the Government proposal one for locking up the land of the country; but I think that the proposal to deal with the land by way of sale upon deferred payment is the very best means of opening up the country; we know that a very large number of the inhabitants of all the provinces in New Zealand have been exceedingly anxious that

a more general scheme of land sales on deferred payment should be initiated than is at present in force in any part of the country. There are no funds now for opening up the land where the Auckland forty-acre settlers have been placed, because there has been no land revenue obtained from that part of the country. Hereafter, when men settle down—and I think they will largely take advantage of this deferred-payment system—when they settle down upon the land, the land revenue will go towards opening up the country by roads. What the honorable gentleman calls localization of the land revenue is really the specialization of the land revenue and the putting it aside for the opening up of the country. There is a large part of the country in the North Island which will bring by-and-by as large a land revenue as has been obtained from part of the South Island; and the settlers in the North will be as anxious to specialize and localize the land revenue as ever the southern people have been heretofore. In the South, men have learned by experience the advantage of getting a price for their land which will open up and settle the country; and in the North they have not appreciated that system, because they have never fairly tried it. I hope that system will be fairly tried hereafter, and that the Northern members, as well as the Southern members, will be anxious to set aside the proceeds of sales of land for the purpose of settling that land. The honorable member for Rodney spoke as if the immigrants that had been introduced within the last few years were not being settled in the country. I would ask him, where are the immigrants now? There are very few, comparatively very few, of the immigrants now employed on the public works of the colony, and there are fewer of them being employed every year. Upwards of 70,000 souls have been introduced into this country under the Immigration and Public Works scheme; and I venture to say that a very large proportion of these people are now upon the land, and are opening up the resources of the country, especially in the South Island, and in Wellington and Taranaki. My honorable friend the member for Heathcote asks what the Government propose to do about the Canterbury pastoral lands. Well, Sir, the Government made a proposal which has been modified in Committee. The object of the Government proposal was that Commissioners should be appointed immediately to assess these lands, and it was stated that the names of any persons appointed to do that would be submitted to this House. There has been another proposal made by the Waste Lands Committee, which will be considered in the Committee of this House,—a proposal to intrust the assessment to the Waste Lands Board. Although I prefer the Government proposal, I must remind the honorable member that there has been less power intrusted to the Waste Lands Board of Canterbury than has been intrusted hitherto to any other Waste Lands Board in the colony. In Canterbury, the Waste Lands Board has been more strictly tied down to rules of law than any other Waste Lands Board in the Colony of New Zealand. The honorable member for the Thames complains

that this House was asked to legislate suddenly on the question of the waste lands. Well, I do not know what he means by that. This Bill has been before the House during nearly the whole session. It has been referred to the Waste Lands Committee, and it has been the subject of conversation among members of the House, and of discussion in the public Press for the last two months at any rate. If any Bill could be said to be the subject of sudden legislation, it is certainly not the Bill before the House. There are a number of provisions in this Bill which are admitted by honorable members on different sides of the House as being most necessary and useful; and if there are some matters which honorable members wish to discuss further, and upon which differences of opinion may exist, they are matters which can be discussed in Committee. It is absolutely necessary that at the present crisis of affairs a Bill of this nature, giving powers of administration, should be passed; and I hope that because one honorable gentleman does not like one clause, and another does not like another clause, they will not vote for shelving the measure altogether. There is one provision in the Bill which will be of great importance to the country—namely, the power of making educational reserves all over the colony, both North and South. In the Southern Island there are already large reserves of that sort, and it is to be regretted that they do not also exist in the North Island. I hope that, by means of this Bill provision will be made all over the North Island for the establishment and maintenance of schools. The honorable member for Rodney has spoken of the desirability of establishing special settlements in certain cases, and I hope that the House will not run away with the idea that, if special settlements founded on a scale of such magnitude as to make them desirable or valuable are proposed, the Government are not desirous of entertaining the proposals. All that the Government wish is that such proposals should be brought before the House, and not be dealt with by the Government alone. I think that, considering all the accusations which have been brought against the Government with reference to special dealings with land, it is only proper that this course should be adopted. I feel that the chief objection made against this Bill by the honorable member for Rodney may fairly be considered unreasonable—unreasonable, that is to say, so far as to justify any attempt to put aside this Bill altogether. It is reasonable enough that such a proposal as that of the honorable gentleman should be considered in Committee; but I contend at the same time that there is nothing in the Bill to justify an attempt to put it aside. However much honorable gentlemen may think the forty-acre system had been beneficial, they will find that it will be advantageously superseded by provisions enabling people to occupy 200 acres of land on the deferred-payment system. I hope that, for the reasons I have adduced, the House will not listen to any proposal to shelve a Bill of such great importance to the country as this. If honorable members have any proposals to make, they will find that when the Bill is in Committee

the House will be prepared to discuss them in a fair spirit.

Mr. KELLY.—Sir, few persons will deny the benefit that would arise to the colony by the establishment of special settlements in positions and under circumstances which insured success, for the early settlement of New Zealand was due to special settlement. But I never heard of any special settlement having been successfully established in which the land was given away. Such a proposal destroys the very primary element of success; for it deprives the settlement of the means of constructing roads and bridges, without which, settlement, in the ordinary acceptation of the term, is impossible; but in the present condition of the colony, I do not think that any special effort in the way of establishing isolated settlements is necessary. If the land was sold at a sufficient price, and a fair share of the money derived from the sale was expended in opening up the land for settlement, the land would be taken up as speedily as was desirable, and quite fast enough to satisfy all reasonable requirements. That, at any rate, has been our experience at Taranaki, which is essentially a small-farm settlement, a population of some 4,000 souls having been maintained in material comfort, before the war in 1860, on about 80,000 acres of holdings. In that province, several systems of land administration have been tried—the land has been given away, and the result was failure: settlement has not succeeded on those conditions; and it is singular that exactly the same result was obtained on fairly good land in Taranaki which had been experienced in the north of Auckland under the forty-acre system, a failure which the honorable member for Maraden attributed to poor land on which the Auckland settlers were placed. The real difficulty in both cases was the want of roads fit for traffic. Under the present system in Taranaki, a fair price is obtained for the land, and one-third of each block, when thrown open for sale, is set aside on deferred payment; a large portion of the proceeds is expended on district roads; and yet, notwithstanding this, settlement would not be possible in the forest district without a line of railway, which forms a trunk line of communication from which district roads branch off. It is therefore impossible to continue settlement on a proper basis unless the land is sold for its fair market value. Cheap land will not hasten real settlement if it involves the absence of roads, except such as would be made by the painfully slow process of local rating; and as our borrowing power has at the present time almost reached its limit I see no means by which to make roads and bridges to open up lands for settlement except from the land itself. For this reason, I will support the Bill, with the existing upset price of land.

Mr. WOOLCOCK.—Sir, I do not make any profession or pretension of being an authority on the land question, because it has so happened that I have not had much practical experience in the administration of the waste lands of the Crown since I have been in the colony. But I have paid particular attention to the present and other discussions which have taken

place on the subject during this session. As far as the present discussion is concerned, I have been struck with the fact that we have been discussing details instead of general principles. We have been discussing the particular kind of land laws that would be specially adapted to small and special districts in the colony. To me, this appears to be beginning at the wrong end. My idea is, that we should first establish general principles, and then adapt those general principles to the particular cases as they arise. I fully indorse all that has been said as to the importance of the settlement of the land of the colony, because the larger the amount of settlement we have, the larger the number of wealth-producers we shall have; and the larger the population, provided that population can produce more than they consume, the better, because such a population will always tend to make the country wealthy. But it seems to me that there is a possibility that we may cover too large an area with too small a population. It must be acknowledged by every member of the House that the area of New Zealand is such as to be capable of containing twenty times the present population of the colony; and therefore it occurs to me that it is a question as to how far it is wise to attempt to cover the entire area of the country with the small population we now have at our command. My idea is that it would be better, in the interests of the colony and in the interests of the settlers themselves, to occupy that portion of the country first where people can settle to most advantage, and can enjoy all the blessings and privileges of civilization and of our institutions; and then, when that class of country has been anything like fully and properly occupied, I would like to see provision made for the extension of settlement, and for affording facilities to people for taking up new country. One of the practical results of that would be that land would fetch double and treble the price it now fetches, and settlers would not be subject to the same amount of inconvenience they now suffer, and they would be of far greater benefit as wealth-producers to the colony at large; because they would not require the same amount of Government supervision per head as they would if the settlements were scattered and sparsely peopled. A great deal has been said about the outlying districts. I hold they should be specially provided for, because the prosperity of the centres of population depends very materially upon the development and progress of the outlying districts; but that, like other good things, may be carried to an extreme. Virtue may run wild and become vice; so, likewise, the desire to encourage outlying districts might run wild and become an evil. If a few persons choose to settle in some outlying and outlandish place in the colony, they immediately raise the cry that they should be provided with all the blessings and privileges of the more settled and civilized districts; but if their demands were granted, the result would be that they would entail such an expense upon the Government that it would more than absorb the value of the benefit those settlers confer

upon the country. I hold that we should facilitate settlement where it can be easily accomplished, and where it will secure the greatest benefit to the settlers and to the colony at large.

Mr. MONTGOMERY.—I understood the honorable member for New Plymouth to say that the term "special settlement" meant that the proceeds of the sale of land should be spent in the locality on improvements, and for the benefit of those who took a part in forming the special settlement. If that were done, I know various parts of the country which could be settled very fast, and I think it is a subject which it would be advisable for the House to consider. I agree with the honorable member who last spoke, that settlement should be promoted in those parts of the colony where people could get a living from the land easily. The honorable member for Timaru, in his speech, shadowed forth a new idea with regard to the appropriation of money derived from the sale of land. He said that a uniform rate per acre should be contributed to the Colonial Treasury, and the balance should be devoted to the locality in which the land sold was situated. That plan might answer where the price of land was high; but where it was 10s., 15s., or 20s. an acre, and 10s., 12s., or 15s. had to be devoted to the colonial revenue, there would not be much left for improvements. I do not think such a system would suit honorable members from Auckland, who wish to make the Land Fund common property. I venture to say that next session the question of dealing with the land will be a very prominent one, and will greatly occupy the attention of the House. I desire to remark, with reference to the deferred-payment system, that I know a part of the colony where there is room for thousands of families to settle, and where they would settle if facilities were offered to them. Honorable members have spoken of blocks being open for settlement on deferred payments; but I do not think that in the part of the country I refer to, the Province of Canterbury, you could get a block of 5,000 acres where people could settle to cultivate the soil, because I believe such blocks of good agricultural land cannot now be obtained in the Province of Canterbury. Therefore I think, if the deferred-payment system is only to be applied to blocks of considerable magnitude, it will not apply to Canterbury at all, and I will object to a system of deferred payments which will only be "keeping the word of promise to the ear and breaking it to the hope." A deferred-payment system in Canterbury must be conducted on something like the principle we now have, one of free selection: that people should settle where they wish, but instead of paying cash as they now do, they should pay certain annual amounts under stringent conditions of settlement. If that were done, I venture to say you may retain the population in the country, add largely to it, and also afford comfortable homes to thousands who are now roaming about. When the question of the Canterbury runs comes before the Committee, I shall endeavour to make an amendment in the Bill as it now stands, so that it may read in one respect

as it originally stood—that the Government should appoint assessors to value the runs. Some months ago, when I was standing for Akaroa, I said, "The valuation should be made by sworn assessors, after receiving evidence on oath from competent persons in open Court; and, if the runholder would not give the rent so assessed, the right of pasturage should be submitted to public competition." I think that would be as good a way to arrive at a settlement as any other. I venture to say that, in the province I come from, the Waste Lands Board has quite enough to do to attend to its present duties, and the additional duty of assessing the runs should not devolve upon it. When the time comes, I will propose that assessors shall be appointed by the Governor, but that none of them shall belong to the province, so that they may be free from all prejudice and local feeling. I think there should be three assessors, who should hold an open Court in the town nearest to a run, of which notice should be given; and they should receive evidence on oath as to the value of the run. That, I think, is the only way in which a proper value can be arrived at by the assessors. The Bill is a very comprehensive one. I dare say there is a good deal in it that is required, but there is also a good deal that can stand over until next session. I think it is very difficult for members to clearly understand the effect of repealing all these Acts, and to understand what is substituted for them. At all events I shall vote for the second reading, and I shall do what I can in Committee to make it a good Bill.

Mr. GIBBS.—I hope the House will not accept the amendment that this Bill be committed this day three months; for, if the Bill is not passed this session, it will cause very great confusion. I believe it is very necessary that many alterations should be made in Committee. With reference to the proposals for a system of deferred payments, I may say that such a system has been in force in Nelson for some years; but I am afraid that the provisions of the Bill will scarcely meet the circumstances of that province. For instance, it is provided that blocks of land shall be declared open for selection under deferred payments. Now, as regards the Province of Nelson, the whole of it is under one system. Again, if it is intended that it must be selected for purposes of cultivation, I am afraid it will not suit Nelson, for there is very little unsold land there in which a block of 200 acres, that would be used exclusively for agriculture, could be obtained. The settlers there are content to get through the world by cultivating small portions of their land, using the greater part for grazing; and, if the deferred-payment provisions of this Bill are to apply only to land used for cultivation, I am afraid it will fail in that province. The provisions for cultivation and residence will be found impossible to carry out. I took exception on a former occasion to an increase being made in the price of land in that province; but the members of the Waste Lands Committee have doubled that increase, and have raised the minimum from 5s. to 20s. per acre. I think I may say that a large portion of the land open

for settlement in that province will not be taken up at that rate, for it is not worth it. I differ altogether from the honorable member for New Plymouth as to the selling price of land: I look upon the value of land as gauged by its capability for carrying a population. I trust that in Committee the aim of honorable members will be to so frame the Bill as to make it conducive to the settlement of the country.

Mr. HAMLIN.—I am very sorry indeed that the Government, at this late period of the session, should have brought down so important a measure. No Bill which has come before the House this session requires calmer or more careful attention than this does; but owing to the late period of the session, and the protracted sittings which honorable members have been required to attend, it is unfair to ask us to pass a measure of such magnitude and great importance as this is—one which must inevitably seriously affect the well-being of the colony at large. It is idle for honorable gentlemen to say that we can amend the Bill by striking out certain clauses and inserting others, to meet the different requirements of the country. That would simply mean that we must set to work to make the Bill workable, and if we do that we shall simply have to go through the measure clause by clause, line by line, and word by word; in short, we must make up our minds to stay here a considerable length of time yet. It is unfair and unjust to honorable members to expect them to consider such an important measure in the short time at their disposal. I am not one of those who believe that the exigencies of the country require a measure of this kind to be passed through during the present session. If the abolition of the provinces has brought about a state of affairs which renders it necessary that such powers should be vested in the Ministry of the day, I for one shall not assist to make matters worse, particularly as the provincial authorities might exercise these powers lawfully and fairly for the next six or seven months. When we consider the length of time we have been in session, and when we look at the fact that the financial year will terminate in seven or eight months, it is not too much to ask that this matter should be allowed to stand over until next session. There is no impending danger which justifies us in hurrying this Bill on now, and no great harm can befall the colony if it is not passed. I trust Ministers will consider the matter carefully, and withdraw the Bill. To discuss it fairly will occupy three weeks at least: not because there is likely to be any violent or unnecessary opposition, but because, as representatives of the people, we shall naturally endeavour to make the Bill as complete as possible, and to put it into such a form that it will be likely to advance the general welfare and settlement of New Zealand. There are many parts of the Bill to which I take strong exception; but presuming that the good sense and wisdom of the House will prevent it going into Committee, I need not dwell at length upon its details. I need only say that in several important matters it deals in a harsh and arbitrary manner, so much so that it is evident on

the face of it that the Government have not given the subject that calm and careful consideration which we as representatives of the people have a right to expect. I ask, then, not in a spirit of opposition, or from any determination to oppose the Bill unnecessarily, but from a spirit of fairness, whether they should not withdraw the Bill, and allow time for due and deliberate consideration of this important question. They can bring down a Bill with a few clauses, to enable them to exercise the powers heretofore exercised by the Superintendents and Provincial Councils, and I venture to say that the Government would, next session, be in a position to place before the House a well-digested measure. We shall have had the calm experience of the next few months to guide us, and shall be able to assist, earnestly and thoughtfully, in framing a measure which will last for many years to come. I shall oppose this Bill.

Mr. CARRINGTON.—I have one word to say, and it is practical. I heard something said during the discussion in favour of special settlements, and as to providing the means for making roads. I would suggest that in future, irrespective of any endowments that may have been made, or of the land having been dealt with in any shape or way, every block of land should be laid out so that a part, or certain allotments, should be reserved for the express purpose of providing funds for the making of roads and bridges for that block. When the Bill is in Committee, I shall move a clause to that effect.

Mr. ROWE.—As I intend to support the second reading of the Bill, it will not be necessary for me to address any lengthened remarks to the House. I feel it necessary to say, however, that this question of the administration of the waste lands is one in which my constituents feel a very deep interest. No other question that has been brought before the House has occupied so much of their attention, and that arises from the fact that they have never yet had an opportunity to become possessed of any land. With us it has not been a question of settling upon the land; it has been a question of getting hold of it. I am sorry to say that we have lost thousands of people who would have made the best settlers in the country, simply because we had no land to settle them on. I have heard one or two honorable members say that it is better first to settle the land that is accessible—that there are large blocks of land that might be settled without any difficulty. Those gentlemen would like us to go down to Canterbury; but we prefer to stay where we are, if we can get the land we require. I have also heard a great deal about bringing settlers into the country, but I would rather see provision made for those already in the country. We have thousands of young men who have grown up in the province who cannot obtain land, and I say that facilities should be afforded to them. As to giving away land, that is a principle to which I am altogether opposed. The system is bad. There is another point to which attention should be directed, and that is that the Government, in purchasing blocks of land, should endeavour to get hold of land of good

quality. The system of land purchase that has hitherto prevailed in the North has been an exceedingly bad one. The agents of the Government have been limited to a certain price per acre, and, partly with the object of securing their own commission, they have bought up any land they could get, most of it being poor and unfit for settlement. It would have been much better if these agents had been commissioned to give a sufficient price. Although they might have obtained a smaller number of acres, the land purchased would then have been much more suitable for settlement. I regret that the Government have omitted all provision for the formation of special settlements. For years past the people at the Thames had been promised land for special settlement. A great amount of correspondence has taken place with the Government on the subject, and certain blocks have been pointed out as suitable. Men have for years been waiting to get on it. The land was partially purchased, and, although they were willing to pay the Government £2 or £3 per acre, their hopes are now swept away. I am sorry this provision has been left out, because I regard it as advantageous to any country that there should be regulations in its land laws under which a number of individuals in the community could join together to take up blocks of land for settlement in this manner. I have no doubt the deferred-payment system will result in great benefit to the colony as a whole, but I would strongly urge upon the Government the necessity of providing land for the settlement of the people already in the colony.

Mr. THOMSON.—It is true this Bill has been before the House for a long time, and that honorable members have had ample opportunity of becoming acquainted with it, but it is also true that until to-day it has occupied a very low place on the Order Paper. On Government days it has stood at the very bottom of the list. This, I think, indicates a desire on the part of the Government not to push the Bill forward this session. I believe the Government, or some members of it, are under promise to the Canterbury members to force the Bill through this session if possible, and no doubt they are anxious to redeem their pledge. There is, however, a section of the Canterbury members who will not be very much disappointed if it does not pass this session. It should be borne in mind that the session is very far advanced. We have been here between four and five months; a great many members have gone home; and if we are to proceed with such an important measure as this, it will be necessary to make a call of the House, for I do not think it would be fair that the members who are left should undertake such a responsibility themselves. The Premier, in the course of his speech, made a remark to which I will take the liberty to refer. He said we could not expect the public works to be carried on unless we raised the price of the land, although he stated at the same time that it was not the intention of the Government to raise the price this session. But he was clear about this: that if we were to have public works we must raise the price of the land.

Major ATKINSON.—Perhaps I may be allowed to say by way of explanation, that I did not use any such expression. I stated that we were not going to raise the price of land, but that if we were to give the land away it would be impossible to execute our local public works.

Mr. THOMSON.—I took a note of the honorable member's words. He said that we cannot expect to have public works carried on except by increasing the price of land.

Major ATKINSON.—No.

Mr. THOMSON.—I am glad to hear one honorable member say "Hear, hear:" in fact I am corroborated. We shall see, when *Hassard* is published, whether I am correct or not. The honorable gentleman led this House to believe that in order to have public works we must raise the price of land.

Major ATKINSON.—I hardly think the honorable gentleman desires to misinterpret what I said. I state distinctly I did not say so. I will put it further to the honorable gentleman: If I used any words that would imply that, I did not mean to do so.

Mr. THOMSON.—I know I must accept the honorable gentleman's statement, and I am prepared to admit I may have taken his words down wrongly. But he also made another remark: he said there was no alternative except raising the price of land. If it is true that the price of land should be raised in consequence of the increased value of the land from the Public Works policy—and I have heard that advanced over and over again in this Chamber, and from the Government benches, as the reason—I would wish to draw the attention of the House to another alternative, and it is this: that if the Government land should be increased in price on account of that policy, it naturally follows that it would be only fair to tax the land that has already been purchased. That, I consider, is a very fair inference from the remarks which have been made. Now, I am not going to say that this should be done. It will be time enough for me to make up my mind on that question when it comes before the House. But I think that, if it hold good in respect to Government land, the other alternative holds equally good in regard to land that has already become private property. There was a remark made by the Minister of Justice to which I would like to draw the attention of the House, and he made a great point of it in opposition to an observation that had fallen from the honorable member for Rodney. The latter honorable gentleman said he believed that very few of the immigrants that had been brought to the colony had settled upon the land. The Minister of Justice said the very opposite was the fact—that a great many of the immigrants had settled on the land. It is, I will admit, a very difficult matter to prove; but I think, from conversations I have had and from the public Press, the general opinion seems to be that very few of the immigrants have settled upon the land. I admit that married men with families coming to this country cannot well get out of it; but with respect to the unmarried immigrants, I do not think that very many of

them have settled on the land. In regard to the settlement that has recently taken place, it has been carried on chiefly by the families and relations of the old settlers. At all events, if the Minister of Justice is sure that a large number of the immigrants that have been brought to the country have settled on the land—if he has any means of proving the position he takes up—I think that it would be well that he should lay the facts before the House, either in the shape of a return or in some other way. I will now refer to the speech of the honorable member for New Plymouth. That speech was remarkable for two statements. The honorable gentleman said he thought we were almost at the limit of our borrowing power. It was not very appropriate perhaps; but at all events the honorable gentleman made that statement, and coming from him, who has been such a strong supporter of the Government, I was a little astonished at it. But the honorable gentleman went on to show, as far as I understood him, that it was not desirable there should be settlement by deferred payment at all—that what we ought to do was to sell the land, and, with the money we got from it, make roads to the land. That is what I understood the honorable gentleman to mean. That proves to me that the members of this House who come up here from all parts of the country really know very little about matters at a distance. I think it might be well that this General Assembly should meet at Taranaki some time or other, so that the members might become acquainted with the circumstances of Taranaki. I think the remark of the honorable gentleman is owing to this: that, the land of Taranaki being chiefly bush land, a very small portion is sufficient for a family. It is very different on open grassy land, for that land is immediately available for stock; and, unless the system of deferred payments were acted upon, the probability is that, so far at all events as many of the good lands of Otago are concerned, when opened up those lands would pass into the hands of capitalists. The deferred-payment system has settled a large number of persons on the land—land which otherwise would have been bought by capitalists, and continued in the occupation of the shepherd-kings of the colony. It has been said that, if we go into this Bill, it will occupy us a long time—three weeks I think was stated by one honorable gentleman. It is a matter of very great importance, and I believe it will occupy us a considerable time; but what I fear most in connection with the Bill is its treatment by the Legislative Council. Every Bill we send to the Legislative Council that is connected with land comes back far worse, so far as the settlement of the country is concerned, than it was when it left this House. What took place last session? A comparatively unimportant Bill was introduced here, chiefly with respect to the administration of the waste lands in Otago, and it went up to the Legislative Council, where it was completely changed. Eight new clauses were added to it, and the body of the Bill was struck out altogether. In fact, that little Bill completely changed the land system of Otago. For in-

stance: the deferred-payment land, which, up to that time, had been at a rental of 2s. 6d. an acre, was raised by the Legislative Council to 4s. an acre; and the price of the land to the deferred-payment settler, which formerly had been 25s. an acre, was raised to £2. There was also a proposal that the whole colony should be divided into two parts—into agricultural land and pastoral land: that the agricultural land should be open for sale at £2, and the pastoral land at £1. What was the result of that? That a compromise had to be come to, and the deferred-payment land was raised 6d. an acre on the annual rent: that is to say, whilst formerly a deferred-payment settler—who in Otago usually has 200 acres—had to pay £25 per annum for his section, he has under the present system to pay £30. So that I expect when this Bill leaves the Legislative Council it will be so changed that we shall hardly know it; and, in fact, we shall have to come to some compromise with the Legislative Council, and that compromise will not be in the interests of the settlement of the country. The Premier has told us that the price of the land is not to be raised this year. I think that, considering that wool is low, and that grain is also low, the present is not the time to raise the price of land. At the same time, I admit it is a question that this Legislature may fairly consider. But I would like, in connection with this question of the price of land, to draw the attention of the House to the price of the deferred-payment land, which honorable members will find by referring to the 31st clause of the Bill. I said that last year we raised the annual payment of deferred-payment land 6d. an acre; or, so far as a deferred-payment settler is concerned, we raised his rent from £25 to £30 a year. But what do we propose to do this session? What would be the consequence if this Bill were to pass as it has been put into our hands? It would raise the annual payment of deferred-payment land 9d. an acre at the very least; or it would raise the annual rent to the deferred-payment settler from £30 to £37 10s. In other words, while, previous to last session, the deferred-payment settler paid £25 for his land, he has since had to pay £30; and we propose, for the future, that he should pay £37 10s., or half as much again as he paid previous to the Act of last year. And this is proposed to be done in the clumsiest way imaginable. By the 31st clause it is proposed that the price of land shall be 25s. an acre, and then 50 per cent. is to be added to that, making the price of land 37s. per acre, or, in other words, raising the annual rent of the settler by 9d. an acre. Now, I believe that £25, or 2s. 6d. an acre, was plenty for the deferred-payment settlers. I think we committed a great mistake last session by raising the price of land to these men. A few pounds every year may not be a great deal to some people, but £5 is a great deal to poor men, as deferred-payment settlers usually are. If the Bill was passed as placed in our hands, the settler, instead of paying £25 every year, would have to pay £37 10s. This, of course, would not refer to the sections already taken up, but it would mean this: that

all those who, from the passing of this Act, would take up land in that way, would have to pay an increased rent. This may be a matter of detail. I have heard honorable gentlemen complain very much that we have been speaking on details, and have not spoken on the principles of the Bill; but it really appears to me there is not much principle in the Bill. The chief principle in the Bill is that the Canterbury runholders shall get their runs on the very easiest terms possible. I think it is right that that should be referred to. I was referring to Taranaki at one time with regard to the difficulty of really understanding things in this House. I may also refer to the case of Auckland. The honorable member for Rodney said that this Bill completely changed the land system that had prevailed in Auckland, and I understood the Premier and other honorable gentlemen to say that it was a great change for the better. He said he believed forty acres was too little for any man to bring up a family on, and that 200 acres would be a great deal better. No doubt 200 acres would be better than forty acres, but at the same time there might be circumstances where forty acres might be even better than 200 acres. I understand that the system in Auckland has been this: that settlers get forty acres for nothing. This it appears is poor land, and persons who take up land in this way, I presume, work a good deal away from home, and make a little money by that means. But if they had to pay yearly 8s. 9d. an acre, or £37 10s. for 200 acres of bush land in an out-of-the-way place, it would make a great hole in their earnings. So it does not appear that the argument is altogether on the side of the Government. I think there is a great deal of evidence in favour of the system of giving small blocks of land to persons who will occupy and make a home of it. I think it would be well if this Bill were withdrawn, and that two or three clauses, necessary to carry on the administration of the waste lands, were passed. Such a course would save a great deal of time. With regard to the Canterbury pastoral leases, I believe that they do not expire for four years. I understand that they are not leases. I believe the runholders still have a title to the land after the four years. The only thing is that after four years the rent may be increased or decreased, according to circumstances; and, as it is a long time until 1880, I think we may well withdraw this part of the Bill at all events, and deal with it in some future session. I rose for the special purpose of drawing the attention of the House to that clause with regard to deferred payments. It is a very important clause, and I pretend to know a little about that matter. I spoke of the clause as being extremely clumsy. Now there is this other peculiarity about it: that, when there are two or more applications, the land is put up to auction, and it is proposed to make the upset price 25s. Well, supposing there are two or three bidders for the land, and it rises to £2 an acre. That is not the price the deferred-payment settler will get it for; 50 per cent. is proposed to be added to the sum for which it may be knocked down. Say it is knocked down at £2 an acre; 50 per cent. is to be added, making the land £3 an

acre, which would make the rent 6s. an acre annually. I think that is more than this House has any right to expect that a man under these circumstances would be able to pay.

Mr. DE LAUTOUR.—I think the House might be better employed to-night than in considering this Bill in Committee. I think, if the Government can see their way to accept the suggestion I am about to make, we can employ the remainder of the night much more profitably. It must be very obvious to the House, from the debate that has already arisen, that if we at once go into Committee we shall make no progress to-night. If we get through ten clauses we shall do very well; and what use will that be? I admit that even at this period of the session the Government have a perfect right to ask us to consider and pass a Waste Lands Bill; but it must be presumed they have counted the cost of so asking us. Although I do not think it would take three weeks, I think it would take a fortnight to pass the Bill. I do not think the Government should insist upon pressing this Bill, and so necessitating the departure from their homes to-morrow of a number of members, now in Otago, who will have to return before the end of the session in order to take part in passing this measure, which is of such great importance to the districts they represent. However, if it is pressed, we must sink private convenience and do our utmost. The Government cannot expect that we will allow this Bill to pass on the same terms as the Public Health Bill. This Bill will require most careful and close watching. I quite agree with the honorable member for Clutha, that there is no doubt that if this Bill passes this House, supposing the Government does not press the increase in price, it will be pressed elsewhere, and further time will be taken up in making a compromise, in which, as experience shows, we shall get the worst. In support of this statement, I need only refer to many measures we have passed this session. It is now proposed to send up a Bill which is bad in itself, which the Government intend to tone down, but which will certainly be toned up again elsewhere. The object to be attained, for which we are to remain here for a fortnight, and to sacrifice a good deal of other business of more importance—is to satisfy the election pledges of the honorable member for Kaiapoi and the Hon. the Minister for Public Works. I think those honorable gentlemen will be perfectly absolved from any such pledges if as Ministers they abstain from pressing this measure in the face of the strong opposition raised against it. I would ask the House to agree to an adjournment of the debate, and on this ground: The Government can place the Bill in the same position that it has occupied during the last few weeks; we can then go into Committee of Supply, or take up the other Bills on the Order Paper. I think we might go through the Public Works Bill to-night, and perhaps the Public Works estimates; and then on Thursday or Friday the Government might take up this Bill. But it is folly to rouse the temper of the House and to take up time in passing a

measure which is utterly unpalatable. I do not think we should ever have seen this Bill in its present form, were it not that its only object was to provide a big haystack for the Canterbury leasing provisions. Knowing that we in the South desire an extension of the deferred-payment system, they offer us that as a bribe to swallow the Canterbury pill. They cannot expect us to do that. It really cannot in consideration be attributed to myself or others that we are attempting to take up time unduly in opposing provisions which are not a legitimate occasion for opposition. Even if the Canterbury provisions, as amended by the Waste Lands Committee, are carried out, the whole of the Otago runholders will have a much stronger claim for such a concession in another year, because the runholders of Otago are paying a far greater rent for the extended leases they are enjoying than the runholders of Canterbury. Therefore, if we agree to this concession this year, not only the Canterbury members but the whole House will have to help the Otago runholders and their mortgagees to get the same concessions next year. I acquit the Canterbury men of holding any very strong feeling in this matter. I have felt for some time that the fall in the price of wool and other circumstances would force not upon them, but upon the mortgagees, the necessity for making up their minds as to whether they would foreclose this year or in a year or two upon the sheep and cattle that are now much below their average value. That is the risk that is before us. There is one point of so much importance that I must trouble the House by referring to it. It suggested itself to me when the Premier said there was no money for local public works except the money from the land. I think it is a fair matter for consideration whether it should be confined to money received from the land itself when absolutely sold, and not when the money is coming in in the shape of interest or rents. In the centre of Otago, which has contributed a heavy amount to the revenue, I have long held the opinion that settlement might very well be carried out by employing the interest on the capital in redeeming the land. If the capital of the land is to be employed in carrying out local public works, why should not the interest on that capital? And yet we find in districts in the interior, which contribute £9,000, £10,000, and even as much as £20,000 a year to the revenue of such interest on capital, we have the greatest difficulty in getting £2,000 or £3,000 for local contribution to public works. I would urge upon the Government, if they believe in that principle, that they should see whether some means could not be devised by which the land revenue from the interior of Otago, which at present is occupied by pastoral tenants, should be appropriated to redeeming the land from the runholders, in order to form settlements. We are there very much in the same position as the honorable member for the Thames (Mr. Rowe) complains that he is in with regard to the Natives. We want land, but we cannot get it, because we should have to pay compensation to the pastoral tenants. We do not begrudge

them the compensation; but I say that the money derived in the shape of rents ought first of all to be applied to getting land for people who are absolutely starving for it. I will not take up the time of the House, but I ask honorable members to agree to the adjournment of the debate, and then we can go into Committee on this Bill, when we have got through the other very important business on the Order Paper. There is another course which I think the Government and other honorable members will be willing to accept: that is, that we should go into Committee now, that the Government should at once report progress, and then take the Bill up again after the other business is disposed of. If they will agree to that course, I will withdraw the motion that the debate be now adjourned.

Major ATKINSON.—I think the honorable member appears to entirely misapprehend the nature of this Bill. I should be very glad to consent to the adjournment, and, indeed, to drop the Bill altogether, if it were possible to do so; but the country would thereby be thrown into inextricable confusion. The Bill is simply a temporary one, to provide for the changes which are about to take place.

Mr. DE LAUTOUR.—Allow me to explain. I did not ask the honorable gentleman to drop the Bill; but I said that in the interim, if the Bill were committed, and progress were at once reported, the Government could come down with such a machinery Bill as the House could pass in half an hour.

Major ATKINSON.—I will now explain that the whole of this Bill merely provides machinery, and corrects a few patent evils that exist in Otago and other parts of the colony, with the exception of the deferred-payment clauses and the Canterbury clauses. The deferred-payment clauses could of course be struck out; but to my mind they would be a great loss to the country, because I know they are wanted very much in parts of the colony where the system is not on a satisfactory basis. The Government are prepared to abandon any clauses which are shown to be not necessary; but I think the House will make a great mistake if it does not pass the Canterbury clauses. I may say I was very much opposed at one time to introducing these clauses, as it appeared to me, as it did to other honorable members, to be quite unnecessary to legislate four years before the time when the matter required to be settled. However, I examined into the question very carefully, and I saw that by not inserting these clauses great evil might be done to a very important industry. And I say deliberately that that is my opinion, after being prejudiced against the clauses, and having carefully examined into them. I say we shall be doing good to the country, and not to the squatters, by passing these clauses. Therefore the Government have submitted them to the House. I think the House should go into Committee on the Bill at once, and then we can consider each clause upon its merits, and see whether it is wanted or not. This Bill does not pretend to deal generally with the land laws. It is, as I have said, simply a temporary measure to remove

defects which it is necessary to remove, and to make provision for the coming changes. It is impossible for the Government to consent that this Bill should not pass. It must pass in some form or another, or else the land in all parts of the colony will have to be administered in Wellington, which I think honorable members will not agree to, and which would lead to great inconvenience to the public. I think honorable members must see that it is only a temporary and a machinery Bill.

Mr. REES.—I think both the House and the country must begin to see now how easy it is to build up a Constitution; how easy it is to provide for those things which are necessary for the peace, welfare, and good government of the country; how difficult it is comparatively, when you have a large majority to help you, to pull down a Constitution; and with what wonderful ease and skill, with what wonderful comfort to the members of this House, a Ministry, still with a large majority at its back, can build up again what it has pulled down. I venture to say that when this Bill is passed, when the Public Works Bill is passed, when the Counties Bill is passed, and when those other Bills are passed which the Government find necessary to enable them to build up a patchwork from that which they have pulled down, the whole work of the country will be thrown into utter confusion. Around the seat of Government at Wellington, by the constant exercise of the powers given to the Governor, it may be possible to carry things on with tolerable decency, although not without expenditure of time and money; but I venture to say that, in every province beyond the reach of the officers in Wellington, the administration of the laws in relation to the whole of these matters will be thrown into utter confusion. I asked Ministers last night to withdraw the Public Works Bill. They then stated it was absolutely necessary that the Bill should pass; and, on looking carefully through the Bill, I agreed with them. I felt that, in the existing state of things, and with repealed laws, it would be very difficult to carry on the ordinary work of the country unless some provision was made to sustain the processes provided by those laws. But I do not see that the same argument applies to this Waste Lands Bill. The present machinery could easily be continued for another year.

Major ATKINSON.—If the honorable gentleman will show me how that can be done better than by this Bill, I shall be very glad. It has taken me some months to consider the matter, and I have not been able to arrive at a more satisfactory conclusion; but if the honorable gentleman will show me in Committee how a few clauses can do what he suggests, I shall be ready to accept them.

Mr. REES.—If in Committee I attempted to suggest any such clauses, we should have a fight over clause after clause. A totally different thing is wanted from that which the Government has placed before us. What we want is a simple Bill, without more than a dozen clauses in it, which would be sufficient at any rate until next session. That would prevent any confusion in

carrying on the laws which now exist, and of the working of which we know something. It would be much better to take that course instead of rushing head over heels into enactments, making new laws, repealing others, improving technicalities here, removing a few more there, and putting together a piece of machinery of the working of which we can know nothing; and when it is put in motion we may find that the linch-pin has been left out, and it will all fall to pieces. If it be any use arguing in this House, if there be any use in attempting to use any argument with the honorable gentlemen on those benches, I would submit to them that this is not the way that legislation should be carried forward. There is a Bill called the Waste Lands Administration Act. It begins by repealing one or two other Acts. It has eleven distinct and different parts, each of which repeals some portion of various other Acts, keeps others in operation with certain savings, repeals Proclamations, Orders in Council, regulations for waste lands administration, and keeps some portion of an Act in force while it repeals another, so that the whole Bill is a piece of mosaic-work of the most intricate description. Its provisions will not fall together like the refractive harmony of a kaleidoscope. It will be like one corner without refraction or reflection to make the component whole. It will be a hole of a very different description into which the colony will fall if this Bill is passed. With regard to the Public Works Bill, I may say that it contains some 220 clauses, very many of which have nine, ten, and even as many as fourteen subsections, each and all of which are of great importance. If the House is to pay any attention whatever to the laws by which the people are to be governed, if it is to recognize in the slightest degree the responsibility it has taken upon itself; and if honorable members are determined to discharge their duties to the country, that Bill will take not less than a fortnight to discuss in Committee. Last night we took five or six hours in discussing twenty clauses. Of these, three of the most important were put by for reconsideration, and seventeen merely formal ones were passed. There are still 200 clauses not touched; and if the few gentlemen, forming scarcely a quorum, who are left here to discuss such matters between two and three o'clock in the morning, are to go on with such a Bill as that in such a way, I say it is not the sort of legislation for a young country. It is not building up at all; it is simply attempting to rush through a great quantity of work, irrespective of whether it is well done or not—irrespective of whether it will accomplish what it is intended for. I pointed out last night that one of the repealed Acts, of which there are 104, contained a clause incorporating an English statute of larger dimensions than the Bill we were then putting through. Not one of these Acts was considered. Not one honorable member knew the provisions of the Acts they were repealing. I say it would require the skill of the best draftsman in the world to pick out one clause here and another there, to strike out half of this clause and leave in half of the other, and repeat this process in respect to forty or fifty Acts. Well, it is found

afterwards that there are mistakes in numbers, in figures; that wrong clauses are repealed and wrong clauses saved; so that, should the Bill become law, it will be absolutely and completely unworkable. Besides this, there are new principles embodied in this Bill, and old principles are done away with. I for one do protest against such a Bill being introduced and such principles being affirmed until ample time is given to consider them—until we have time to consider the effect of the laws we are repealing and those we are enacting. We have been sitting here night after night, and been attending Committees day after day; and when a member rises to speak upon any important matter, half a dozen members loudly cry out "Question;" and if a member attempts to point out serious defects which may cost thousands of pounds, and give an enormous amount of trouble in the future, he is immediately accused of either talking against time or wasting the time of the House. We have been nearly five months away from our homes; and yet these important Bills, which are to build up a new Constitution in this country, are put before us in the fifth month of the session. I think the Government ought to seriously consider the position which they are putting the country in. If they have no respect for themselves, and if they are regardless as to the effect which this must have upon themselves in a few months, they should consider the effect of this species of legislation upon the welfare of the country. How can any Government expect that the people will be patient if laws are passed which have no meaning, and if the old courses, the old ways, in which they are accustomed to walk, and the safety of which they know, are swept away, and new courses opened up which may turn out to be morasses and quagmires? I ask, can it be expected that the people will be content? If you attempt to force these changes in the law upon them, there will be a revulsion of feeling which will at least be equal to the great expectations which have been vainly raised in the minds of the whole community in respect to these things. I shall support the motion for the adjournment of the debate, but I would rather support the amendment of the honorable member for Rodney, that this Bill be committed this day six months. There are on the Order Paper some thirty-one Bills, some of them of very great importance, and equal in importance to these two Bills. We shall, in addition to considering these measures, have supplementary estimates placed before us, and items of estimates which have been postponed. The consideration of many of these measures will take up a considerable amount of time, and I should like to know when this session is likely to be ended? I would submit to honorable members the consideration of what modern writers upon political economy have stated: that the greatest safety in the passing of measures in any Legislative Assembly is to be found in this, that they are to be most fully discussed by every species of mind—in fact, that they are to be torn in pieces; and that no time should be considered waste time which is given to the full consideration of the different clauses of Acts, so that the

absolute consequences flowing from them may be plainly seen before they become law. If this is the principle on which important Bills should be considered, and if the Government are determined to force these measures on, then I say we shall not get away from here for the next three months. We shall be sitting here until two or three o'clock in the morning, and some of us will be at work in Committee from ten or eleven o'clock. This, Sir, is work for which we shall be unfit if we are to bring a cool unbiassed mind to the consideration of these questions—questions which relate to the building up of a new Constitution for the people to live under. It is utterly impossible to properly consider these things under such circumstances. There are some honorable gentlemen in the House who take but little part in the business of the session, and who, when any question of importance is being discussed in this House, endeavour to prevent honorable members addressing the House and desiring to have light thrown upon those questions. I can only put this matter to the Government as to whether it is fair to press on this measure. They have a majority to support them in any matter, whether it be reasonable or not. We have seen this to be the case on many occasions. If they are determined to force these things upon us, upon their heads will rest the responsibility. It is not certain that honorable members will be content to wait for two or three months longer. I am not certain that the patience of honorable members will last so long. Honorable members have been away from their ordinary avocations for a considerable time, and they find that the tax is so great that they cannot support it. They get impatient, irritable, and quarrelsome, because there are so many things provocative in the circumstances in which we are surrounded and connected with our stay here in Wellington. We cannot spend eight or nine months of the year here. This is the result of the Abolition Act; and it will be worse than this in a few years, when the House has thrust upon its shoulders the work of the Provincial Councils and Provincial Governments, and it will be found that the great majority of the members of this House here present will not be able to come up to this House at all. Men of independent property may choose to give up their whole life to it; but men who have to earn their living, either by their brains or by their hands, cannot do it; they cannot give up so much of their time, away from their ordinary avocations, to even such a great and lofty object as the benefit of their country. I would submit to the honorable gentleman in charge of this Bill that he should postpone it, even if it be at the cost of a little discomfort. Let the old law be carried into effect for another year. There is no reason why there should not be a saving clause or two enacted, altering the *personnel* of the officers to some extent. I would undertake to draw half a dozen clauses by to-morrow night that would do it effectually. We should not alter the law, but leave it in the same position until we meet in June next. I submit that this is reasonable and right. If the Govern-

ment are determined to force their majority to pass these Bills hurriedly through the House, then one of two things must come upon us—either the Bills will be passed without any attention whatever, or we shall have to sit here for two or three months considering these measures. It is to the latter alternative I desire honorable members to direct their attention, and see if we cannot reasonably escape from the necessity of remaining here for such a period. I submit that the proposal of the honorable member for Rodney is a reasonable one, and that the Bill should be thrown on one side, for the present at any rate. There seems to be some misapprehension in the minds of honorable members in relation to the land in Canterbury referred to by the honorable member for the Thames and the honorable member for Timaru. I mean the land given to the Timaru and Gladstone Board of Works. There is no doubt that the latter part of clause 24 of the Act introduced last year, if it had been carried into law and become a portion of the Abolition Act, would have had the effect of saddling the land in the Province of Canterbury to the extent of 4,000,000 acres, and part of the price of which would have gone exclusively to the Timaru and Gladstone Board of Works. There would have been no escape from that, and the value of the land would have been equal to £10,000 a year. The honorable member for Ashley moved an amendment to that clause, which the Ministry accepted, and the latter part of the clause was struck out. The clause, as it stood, was this:—

“Nothing in this Act contained with respect to the appropriation or division of the Land Fund shall be deemed to alter or affect the liability of the colony to the public creditor, or to affect any permanent appropriation of or charges upon such revenue under any law in force in the colony.”

Mr. J. E. Brown moved this amendment:—“Provided always that, on and after this Act coming into operation, the endowment of one-fourth of land revenue to the Timaru and Gladstone Board of Works shall cease.” There was a very long discussion upon it when the Abolition Bill was in Committee. The latter part of the clause was ultimately abandoned by the Ministry. I should not have referred to this, were it not that there seemed to be a misunderstanding on the subject on the part of some honorable members. I shall not detain the House with any further remarks. I do not deny the importance of the measure itself; I do not deny the importance of bringing a number of enactments within the scope of one Act relating to the law of the colony. I do not submit the argument against the possibility of compelling people to pay for even poor land in the Province of Auckland, nor do I submit the argument against many of the new clauses introduced into this Bill. What I protest against is the passing of these measures without due consideration, and without being able to give the proper time to their consideration, so as to secure the best laws that can be given under the circumstances to the country at large. I submit that the House is not in

a fit state to go on with these measures. We are not able to attend Committees from ten o'clock in the day, and to sit here until three or four o'clock in the morning. The greater portion of the work is thrown upon the shoulders of a few members, and the majority of the members are not clamorous to do the work themselves. I submit these things to the good sense of the House. If it can be shown that I am wrong, well and good; but if I am right, then let the majority of the House be guided by the reasons which I have advanced. I am confident I am right in relation to the principle of which I speak. The time that will be taken will be a matter for every honorable member to consider. I am certain that, if these important measures are pushed through now, we shall all regret when the House breaks up—and when it will do so I am sure I do not know—that no further time has been given for their consideration, and that we have not been allowed to pass such laws as will be a credit to the House and a credit to the colony.

Question put, “That the debate be adjourned;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	36
Majority against					13

AYES.

Mr. Baigent,	Mr. Sheehan,
Mr. J. C. Brown,	Mr. Shrimski,
Mr. Burns,	Mr. Swanson,
Mr. Dignan,	Mr. Taiaroa,
Sir R. Douglas,	Mr. Takamoana,
Mr. Fisher,	Mr. Tawiti,
Sir G. Grey,	Mr. Thomson,
Mr. Hamlin,	Mr. Tole,
Mr. Henry,	Mr. W. Wood.
Mr. Joyce,	<i>Tellers.</i>
Mr. Nahe,	Mr. De Lautour,
Mr. Seaton,	Mr. Rees.

NOES.

Major Atkinson,	Mr. Ormond,
Mr. Barff,	Mr. Pearce,
Mr. Bowen,	Mr. Reid,
Mr. Brandon,	Mr. Reynolds,
Mr. Bryce,	Mr. Richardson,
Mr. Button,	Mr. Rolleston,
Mr. Carrington,	Mr. Rowe,
Mr. Curtis,	Mr. Sharp,
Mr. Fitzroy,	Mr. Stafford,
Mr. Gibbs,	Mr. Stevens,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Wakefield,
Mr. Johnston,	Mr. Wason,
Mr. Kennedy,	Mr. Whitaker,
Captain Kenny,	Mr. Woolcock.
Mr. Lumsden,	<i>Tellers.</i>
Mr. Manders,	Mr. Andrew,
Mr. G. McLean,	Mr. Kelly.
Mr. Montgomery,	

PAIR.

<i>For.</i>	<i>Against.</i>
Mr. Hislop.	Mr. Pyke.

The amendment was consequently negatived.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	36
Noes	...	...	...	...	20
Majority for	...	...	...	...	16

AYES.

Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Button,
Mr. Carrington,
Mr. Curtis,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kennedy,
Captain Kenny,
Mr. Lumsden,
Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,

Mr. Ormond,
Mr. Pearce,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Rolleston,
Mr. Rowe,
Mr. Sharp,
Mr. Stafford,
Mr. Stevens,
Mr. Teschemaker,
Mr. Wakefield,
Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Andrew,
Mr. Kelly.

NOES.

Mr. Burns,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Hamlin,
Mr. Henry,
Mr. Joyce,
Mr. Nahe,
Mr. O'Rorke,
Mr. Seaton,
Mr. Sheehan,

Mr. Shrimski,
Mr. Swanson,
Mr. Tiaroa,
Mr. Takamoana,
Mr. Thomson,
Mr. Tole,
Mr. W. Wood.

Tellers.

Mr. De Lautour,
Mr. Rees.

PAIRS.

For.

Mr. Seymour,
Mr. Pyke.

Against.

Mr. J. C. Brown,
Mr. Hialop.

The amendment was consequently negatived, and the House went into Committee on the Bill.

IN COMMITTEE.

Clause 22.—Existing Boards, duration of office. Members removable by Governor.

Mr. DE LAUTOUR moved, That the following words be struck out:—"The Governor, by warrant under his hand, may remove any Commissioner of the said Boards, and all vacancies occurring in any of the said Boards shall be supplied by new appointments by the Governor."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	19
Majority for	...	...	...	...	10

AYES.

Mr. Andrew,
Major Atkinson,
Mr. Baigent,
Mr. Bryce,
Mr. Button,
Mr. Carrington,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Kennedy,
Captain Kenny,
Mr. Lumsden,
Mr. G. McLean,

Mr. Montgomery,
Mr. Ormond,
Mr. Pearce,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Sharp,
Mr. Stafford,
Mr. Stevens,
Mr. Teschemaker,
Mr. Whitaker,
Mr. Woolcock.
Tellers.
Mr. Rolleston,
Mr. Wason.

NOES.

Mr. J. C. Brown,
Mr. Burns,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Hamlin,
Mr. Larnach,
Mr. Nahe,
Mr. Rees,
Mr. Rowe,

Mr. Seaton,
Mr. Sheehan,
Mr. Shrimski,
Mr. Swanson,
Mr. Thomson,
Mr. Tole,
Mr. W. Wood.
Tellers.
Mr. Barff,
Mr. De Lautour.

PAIR.

For.

Mr. Pyke.

Against.

Mr. Hialop.

The amendment was consequently negatived, and the clause agreed to.

Clause 70.—Runs to be assessed in the Province of Canterbury.

Mr. REYNOLDS moved, That the following words be struck out:—"The annual rent to be paid on and after the first day of May, one thousand eight hundred and eighty, in respect of every run held under the provisions of any Waste Lands Acts or regulations in force within the Land District of Canterbury, shall be determined by assessment."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	22
Majority against	...	...	...	...	2

AYES.

Mr. Andrew,
Major Atkinson,
Mr. Bowen,
Mr. Bryce,
Mr. Button,
Mr. Hunter,
Mr. Kelly,
Mr. Kennedy,
Mr. Larnach,
Mr. G. McLean,
Mr. Montgomery,

Mr. Reid,
Mr. Richardson,
Mr. Stafford,
Mr. Stevens,
Mr. Tawiti,
Mr. Wason,
Mr. Whitaker.

Tellers.

Mr. Fitzroy,
Mr. Rolleston.

NOES.

Mr. J. C. Brown,
Mr. Burns,

Mr. Shrimski,
Mr. Swanson,

Mr. De Lantour,
Mr. Fisher,
Mr. Henry,
Mr. Hislop,
Mr. Hursthouse,
Mr. Joyce,
Mr. Lumsden,
Mr. Nahe,
Mr. Rees,
Mr. Rowe,

Mr. Taiaroa,
Mr. Takamoana,
Mr. Thomson,
Mr. Wakefield,
Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Reynolds,
Mr. Sheehan.

PAIRS.

For.

Mr. Bunny,
Mr. Brandon,
Mr. J. E. Brown,
Mr. Carrington,
Mr. Manders,
Mr. Murray-Aynsley,
Mr. Ormond,
Mr. Pyke,
Mr. Tribe,
Mr. Teschemaker,

Against.

Mr. Hodgkinson,
Mr. Lusk,
Mr. Stout,
Mr. Seaton,
Mr. Dignan,
Mr. Murray,
Captain Kenny,
Sir G. Grey,
Mr. Hamlin,
Mr. Tole.

The amendment was consequently agreed to, and the words were struck out.

The Bill was reported to the House with amendments, which were agreed to, and the Bill was ordered to be read a third time the next sitting day.

The House adjourned at ten minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 25th October, 1876.

First Readings—Second Readings—Third Readings—Wellington Loans Bill—Gold Fields Bill—Noxious Animals Prohibition Bill—Timaru Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Waste Lands Administration Bill, the Public Works Bill.

SECOND READINGS.

The Financial Arrangements Bill, the Auckland Public Buildings Bill.

THIRD READINGS.

The Wellington Hospital and College Reserves Bill, the Waimakariri Harbour Board Bill, the Thames Harbour Board Bill, the Financial Arrangements Bill, the Auckland Public Buildings Bill.

WELLINGTON LOANS BILL.

This Bill was read in Committee.

Clause 21.—Sinking Fund.

The Hon. Mr. PHARAZYN moved, That the clause be erased.

Question put, "That the words proposed to be omitted stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	14
Majority against ...					6

AYES.

Captain Baillie,
Mr. Hall,
Lieut.-Colonel Kenny,
Mr. Peter,

Dr. Pollen,
Sir J. L. C. Richardson,
Mr. Scotland,
Mr. Waterhouse.

NOES.

Mr. Bonar,
Colonel Brett,
Mr. Edwards,
Captain Fraser,
Mr. Hart,
Mr. J. Johnston,
Mr. Lahmann,

Mr. Nurse,
Mr. Pharazyn,
Mr. Rhodes,
Mr. Robinson,
Mr. Russell,
Mr. Stokes,
Colonel Whitmore.

The amendment was consequently agreed to, and the clause struck out.

The Hon. Mr. WATERHOUSE moved the insertion of the following new clause:—"All the moneys derived from the wharf shall be devoted to the improvement of wharf and harbour accommodation, and to payment of interest and principal of the debentures issued in connection with the purchase and completion of such wharf."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	8
Majority for ...					1

AYES.

Colonel Brett,
Captain Fraser,
Mr. Hall,
Lieut.-Colonel Kenny,
Mr. Mantell,

Dr. Pollen,
Sir J. L. C. Richardson,
Mr. Scotland,
Mr. Waterhouse.

NOES.

Mr. Bonar,
Mr. Hart,
Mr. J. Johnston,
Mr. Lahmann,

Mr. Pharazyn,
Mr. Rhodes,
Mr. Russell,
Mr. Stokes.

The clause was consequently agreed to.

Bill reported with amendments, which were agreed to, and the Bill read a third time.

GOLD FIELDS BILL.

* The Hon. Dr. POLLEN said this Bill was rendered necessary by the fact that the recently-discovered gold field of Kumara, in the Province of Westland, covered or included, as he was informed, a reserve of 1,000 acres which had been made for educational purposes, and which was vested in the Education Board of that province. The land, having been granted as a reserve for a specific purpose, could not be regarded as Crown land, nor could the Education Board be regarded as a "private individual" for the purposes of "The Gold Fields Act, 1866," so that this block in the centre of the new "rush" could not be made available for mining. It was proposed to get over the

difficulty that had arisen by means of this Bill, the 2nd clause of which provided that "The words 'private individual,' in the 98th section of the 'The Gold Fields Act, 1866,' shall include any company or corporation other than Her Majesty the Queen." The effect of that would be to give to the Education Board of the Province of Westland the same rights with regard to this land as were given to a private individual by the 98th section of "The Gold Fields Act, 1866." The 3rd clause of the Bill provided as follows:—

"For the purposes of the forty-fourth section of 'The Westland Waste Lands Act, 1870,' any reserves made under the twenty-second section of that Act shall be deemed to be land sold under the provisions of that Act, and the date of making any such reserve shall be deemed the date of the sale thereof; and the person or persons, body or bodies, having the control or management of any such reserve, shall, for the purposes of the fourth schedule of the last-mentioned Act, be deemed to be the owner thereof."

The section referred to provided that all suburban and rural lands sold under the Act should be open to re-entry for mining purposes for a period of fourteen years after sale, subject to regulations specified in the fourth schedule, in which was made ample provision for the preservation of individual rights. It would thus be seen that the 3rd clause proposed to place the lands comprised in this reserve in the same category as land sold under the Waste Lands Act. He was advised that the Bill would serve the public, that it would be highly beneficial to the Education Trust, as giving immediately a large income, and that it was necessary in the present condition of affairs at the Kumara. He moved the second reading of the Bill.

*The Hon. Mr. BONAR agreed with what had fallen from the Colonial Secretary in regard to this Bill. The proposed alterations were of a purely technical character, and simply provided for giving greater facilities for the proper collection of the revenues of the Education Board. While on this subject, he might say that a great portion of the Kumara Gold Field lay over the land which had been granted as a reserve to the Education Board. The question which had arisen was, whether lands which had been Crown-granted to the Education Board occupied the same position as lands which had been sold. This Bill would not only settle that question, but would remove all doubt as to the Warden's jurisdiction over those lands.

Bill read a second time.

NOXIOUS ANIMALS PROHIBITION BILL.

The Hon. Mr. MANTELL, in moving the second reading of this Bill, said it was a very simple one, and honorable members could easily master its contents in two minutes. It merely provided for an increase in the protection of our native and imported birds and other animals by the extension of the prohibition of the importation of noxious animals, so as to include polecats, stoats, and weasels. He need not point out to honorable members the importance of extend-

ing this prohibition, especially at the present time, when there was what might be called a rabbit scare amongst gentlemen of the pastoral persuasion, which might induce them to import things in order to exterminate the rabbits, which they would be hereafter very sorry they had introduced. He had been told, on good authority, that neither polecats, stoats, nor weasels would be found of any avail for the reduction of rabbits. Scarcely a week passed in which a plan was not suggested by which rabbits could be made absolutely extinct, if it were only properly applied. He could not imagine that any honorable member would have any objection to offer to this Bill.

*The Hon. Dr. POLLEN hoped, as far as he was personally concerned, that the operation of this Bill would not be retrospective, for he had some weasels in his possession, and he would be sorry to be made the first victim of an Act of this kind. Besides, he had some very pronounced opinions as to the usefulness of weasels in this country, which led him to vote against the particular portion of the Bill having reference to those animals.

*The Hon. Mr. HALL begged to move that the Bill be read a second time that day six months. The reason given by his honorable friend the Colonial Secretary would in itself be a strong one against the Bill. The honorable mover could not have looked very closely into the Bill, or he would have seen that not only any person who should introduce any of these animals into the country, but any person who had a polecat, stoat, or weasel in his possession, would be liable to a fine of £100 or imprisonment for six months. It was really a Bill of pains and penalties against his honorable friend the Colonial Secretary. He gathered from the honorable mover that the Bill was to protect the game of this country. He did not think there was much chance of stoats being introduced. It would be a matter of such difficulty to transport the stoat to this country that he did not think there was any probability of its being done. But, if it could be done, he thought it would be of very great advantage to the people, for there was no four-footed animal more destructive to rabbits than the stoat. With regard to polecats and weasels, he thought that, under the circumstances of the colony, and considering also the dangers with which the colony was threatened, although these animals might do some harm to game, and interfere a little with the pursuits of sporting men, they would do more good in the country than harm. He believed, as was stated in a recent debate on the rabbit nuisance, that the introduction of the natural enemies of the rabbit was one of their best means of coping with what threatened to become not only a nuisance but an absolute scourge; and as this Bill would place difficulties in the way of that wise precautionary measure, he sincerely trusted the Council would not adopt it. The only harm which he understood it was apprehended might result from the introduction of either the polecat, stoat, or weasel, was that they would attack some of the introduced game of the country. He was not sure that would occur to any great extent, because these animals flourished

in the old country, and England swarmed with game more than any other country he had ever been in. But even if it were so, he thought it would be better to suffer a diminution in the game than see rabbits run riot over the country, as they were now doing in some districts. For those reasons he trusted the Bill would be ordered to be read a second time that day six months.

* The Hon. Colonel WHITMORE was afraid that in this debate the advocates for the reading of this Bill six months hence would have this advantage: that, owing to the long period of their lives which they had spent in this country, those honorable gentlemen had forgotten their instincts, which, when they were young, probably gave them a certain familiarity with the habits of these animals. This was a subject on which he conceived himself better informed than the average of people that made the colony their home, and he would tell honorable gentlemen that nothing could be more contrary to fact than the statement that stoats and weasels really did keep rabbits under any considerable subjection. If the honorable gentleman who had moved the amendment had any familiarity with the destruction of rabbits in the old country, he would know that in those parts of the country where there was no preservation of game, and where consequently vermin were allowed to increase, the stoats and weasels did not kill out the rabbits. The honorable gentleman, if he were familiar with the habits of these animals, would know that so long as there existed one bird in a district the stoat or weasel would prefer to fasten on to that bird to hunting rabbits. The honorable gentleman thought that stoats and weasels were the natural enemies of the rabbit. All he (Colonel Whitmore) could say was that within a very few months of the present time he had been obliged by the terms of his lease to keep down rabbits, and was pretty familiar with nearly every rabbit-hole on the piece of country he lived in, and although there were a considerable number of stoats and weasels destroyed, and a great number of holes dug out and again many rabbits hunted by ferrets, he never once came across a stoat in a rabbit-hole, though it did sometimes occur, he believed. The fact was that, when a stoat or weasel could get no other food, it would take to rabbits; but a rabbit's blood fed one of those animals for a very long time, whereas a bird, which was choice food, served only as a mouthful, and a stoat or weasel would kill a vast number of small birds, while he would only now and then kill a rabbit. The rabbit nuisance would never be brought to an end in that way. It would have to be seriously met in the way it was treated in all civilized countries, because this nuisance had not been confined to colonies alone, and stoats and weasels had never been found sufficient or in any way successful in keeping it under. A more systematic and expensive process for the extermination of rabbits would have to be undertaken, whether stoats and weasels were imported or not. But if these animals were introduced, it would be found in a short time that they would be a much greater nuisance than the rabbits themselves. The imported birds, upon which the acclimatization

societies had already spent so much money, would entirely disappear in some districts, and the poultry would, in a great many parts of the country, be seriously diminished; and it would be found that, if it was difficult to kill rabbits, it would be fifty times more difficult to kill the stoat. The latter was a much more wary animal, and increased perhaps just as fast as the rabbit. They did not graze like rabbits, but, being always more or less in concealment watching their prey, these animals were exceedingly difficult to catch and destroy. It was all very well to raise this democratic cry about game, but he would respect the honorable gentleman more if he had not used that argument. It was an argument that had a great many unfair elements in it. Game was not introduced into this country to be preserved as it was in the mother country to the injury of tenant farmers, or to be a perpetual temptation to a starving population to offend against the game laws. Game was introduced into this country to perform a very useful function in the destruction of insects, and insects were becoming so numerous in some districts that the settlers were unable to save grass crops or any crops at all. If honorable gentlemen were familiar with pheasant-shooting, or had a taste for natural history, they might have opened the crops of the pheasants in this colony. On one occasion he opened the crop of a cock pheasant, when the crickets were in the grass in every direction, and he found in it no less than 260 crickets. Grasshoppers were also a very great nuisance in the country, but the wild turkeys, pheasants, and other imported birds made short work of them. Some parts of the country had also been subjected to the plague of caterpillars, which were a most horrible nuisance. In the part of the country where he lived it was not one year in three that they could get the grass cropped off the paddocks in consequence of the ravages of caterpillars, and there was no limitation to the increase of these noxious insects except such as might be found in the native and imported birds. In this country there was no possible grievance such as that of the game laws in England, and there was no analogy between the two countries. They protected the animals and birds of this country, but it was for a totally different purpose, and a purpose which it would be to their interest to further by their legislation as far as possible. If it were proved that the introduction of polecats, stoats, and weasels would ever diminish the plague of rabbits, he would not oppose the amendment of the Hon. Mr. Hall; but as that was not a proved thing, and as it was a certainty that if these animals were imported it would be impossible to get rid of them afterwards, he considered they would be doing very wrong if they suffered their sympathies to be worked upon by the worn-out cry of the game laws. They had that cry raised when they first proposed to legislate on the subject of protection of animals; but the common sense of the people very soon got the better of that, and there was no part of the country that he had heard of yet where there was any complaint whatever of the inci-

dence of that kind of legislation. There was this advantage in the introduction of birds, that if they got too numerous it was easy to kill them. The argument used by the Hon. the Colonial Secretary was, no doubt, a very fair one—namely, that there should be no retrospective action in the legislation on this subject. He certainly thought it would be very hard to make so illustrious an example as had been referred to; and probably the honorable gentleman would find, with regard to those animals, that he was in a position to give way to the general opinion of the public, and perhaps he would defer to the opinions of persons who had tried the experiment before. If the honorable gentleman tried to get rid of those animals, which he told them he had introduced, he thought the honorable gentleman would find that it would be years before he could get rid of them. If the animals were in a wild state, he thought the honorable gentleman would find that he was about as successful as the Hon. Mr. Menzies, who, he believed, first introduced the rabbit into Southland. He would find he would be as successful as that honorable gentleman in having imported a kind of animal which would overrun the district where he had his home. Before they undertook the step of introducing such animals, he hoped a very strong certainty of their being efficacious would be proved to exist. He felt quite certain that it would not be many months before they would hit upon something more efficacious for the destruction of rabbits, and less likely to do injury to the country, than the importation of stoats and weasels.

* The Hon. Mr. WATERHOUSE said that, if the question was one concerning the acclimatization of animals likely to be useful to man, he did not think there could be much difference of opinion, because they were all agreed that it was desirable by all the means in their power to facilitate the acclimatization of animals that might be useful to man. Were the question confined to that, it would of course not be desirable that they should take any steps whatever with a view to facilitate the introduction of what was regarded as vermin; but amongst other animals that had been introduced was one that threatened to overrun the country very fast, and to destroy the productive capabilities of the country to a very large extent indeed. In the report of the Rabbit Commission of Southland, there was evidence of the extent to which the rabbit had already destroyed the productive resources of that part of the colony; and incidentally, if his memory did not mislead him, there was a reference to the fact that the rabbits had increased there to an alarming extent, partly through the action of the settlers themselves in destroying the few native animals they possessed, such as the weka, which would have destroyed the rabbit, as well as through their not taking any steps for the introduction of other animals which would have served the same purpose. It was not only in this colony that rabbits were increasing with such rapidity. It would appear, that after struggling for many years to get acclimatized, they had, in other places as well as in New Zealand, of late years increased

to an alarming extent. When he was in South Australia, nothing was ever heard of the ravages of rabbits, and his impression was that South Australia was one of the countries in which the character of the soil and climate would prevent the rabbit from ever becoming a nuisance; but during the last four or five years they had increased to such an extent as to become a serious nuisance to the settlers of all classes; and in a paper which he received recently from there he saw that on one property not less than 200,000 rabbits were killed within twelve months, and that they were again as numerous there as ever. The Hon. Mr. Holmes referred to his own experience in New Zealand, and had given them some idea of the extent of the damage to which the country was subjected by the rabbit nuisance in the South. Now, it was quite clear that the steps hitherto taken to check the increase of rabbits had altogether failed to accomplish the object in view. It was possible and probable that in the agricultural portions of the country, where the population was dense, steps would be taken to check the rabbits, and those steps might be taken successfully. The larger portion of this country was essentially pastoral in its character, and there would not be a sufficient amount of population to hold the rabbits in check unless some live opponent such as the ferret, weasel, or stoat was introduced. He might state, as regarded the spread of rabbits, that in the district of Wairarapa they were known to exist for many years; but they never became a source of alarm until within the last three or four years, and during that time they had spread with very great rapidity indeed. They had now travelled from the Wairarapa right on to the coast, were beginning to spread along the coast, and it would only be a question of a very few years for them to find their way right up from Cape Palliser to the East Cape. It had been stated that the weasel and stoat, if introduced, were not likely to effect much injury to the rabbits. Only the other day he happened to be reading—he thought it was in Chambers's Encyclopædia—an article on the weasel, and he remembered that there it was stated incidentally that the weasel was very destructive to the rabbit, and that the presence of a couple of weasels in a rabbit warren very considerably detracted from the value of the property. He had in his hands "Wood's Natural History," and he might be permitted to quote one or two remarks:—

"Like the polecat and others of the same group of animals, the weasel is most destructive in its nature, killing many more animals than it can devour, simply for the mere pleasure of killing. Even such large animals as hares have been said to fall victims to the weasel. . . . That the weasel, when its numbers are not very great, is a valuable ally to the farmer and the poultry fancier is now generally acknowledged."

Then as regarded the stoat, which he might say he was more particularly desirous to see introduced into the colony, it was stated,—"The stoat is enabled by its great delicacy of scent, and the singular endurance of its frame, to run down any hare on whose track it may have set itself, in

spite of the long legs and wonderful speed of its prey."

The writer then went on to say, "Of rabbits it is very fond, and kills great numbers of them, especially when they are young." It was quite clear that the Hon. Colonel Whitmore had undervalued altogether the capability of these animals for holding the rabbits in check. There was no direct prohibition of ferrets in this Bill; and it was only inferentially he gathered that it was intended to prevent their being introduced and turned loose. He might state, with reference to himself, that he had, within the last three or four months, turned loose a considerable number of ferrets. He did so with the knowledge that he could not expect to get any game, but likewise with the knowledge that, unless some steps of this kind were taken, the rabbits would eat him out of house and home. He would rather do without game than have game and nothing else to live upon. He did not think they need fear, as the Hon. Colonel Whitmore did, the introduction of such animals. He remembered reading, some time ago, an article written by Mr. Waterton, the celebrated naturalist, who allowed nothing whatever in his park to be destroyed; and he found there that while almost every description of game was to be found, and also the animals which preyed upon them, yet they kept each other in mutual check, and left sufficient for his own amusement when he desired to enjoy a little sport. He hoped the Bill would not be read a second time. He was satisfied that, in whatever view the matter might be regarded now, before many years passed those who now opposed the introduction of the animals referred to in this Bill would see that they had been mistaken.

* The Hon. Mr. NURSE would support the second reading of the Bill. Speaking as a practical farmer he had a great deal more fear of the destruction caused by insects than by rabbits. It was only a short time ago that he was riding through the Hon. Mr. Waterhouse's own property, and he saw patches of grass, many acres in extent on that land which were perfectly brown, and which had been destroyed by insects. Now, the destruction by rabbits, at any rate in the part of the colony where he lived, where those animals were supposed to be most numerous, had never been so bad as that. It was a very bad argument to talk about game laws, because in this country every farmer owned the land he occupied, and the game was consequently his own. If he did not like the game, he could destroy it. From his own experience he knew that the ordinary poultry at times lived, to a very great extent, on insects; they left the farmsteads during the summer, and lived for weeks and weeks entirely on insects. They cannot do this if there are to be polecats about. The Hon. Mr. Waterhouse had read some extracts from the Rev. Mr. Wood's work on Natural History. He did not think much dependence was to be placed on those extracts, because that reverend gentleman was an amateur naturalist, who considered that every animal was of great value. He had no doubt that if they read this work through they would find that every animal that came out

of the Ark was of enormous value, and that it was a great pity to destroy it. However much he would like to see the rabbits destroyed, he would be very sorry to see animals introduced that would totally destroy the birds they had imported at such an immense expense; and if they were destroyed, the farmer would be destroyed with them, as it would otherwise be impossible to keep down the insects. He knew that polecats, stoats, and weasels were looked upon at Home as the greatest pests. If they attacked a hen-roost, they killed every bird, simply for amusement, as dogs worried sheep: they sucked the blood of the fowls, and then made off. He would support the second reading of the Bill, without reference to game or anything of the sort.

* The Hon. Mr. HOLMES intended to support the amendment. An honorable gentleman in another branch of the Assembly declared that his father discharged his gamekeeper and allowed the birds and the animals to regulate their affairs amongst themselves, and the result was that the weasels and stoats kept down the rabbits, and yet there was always a sufficient supply of game. Nature made provision for keeping an equilibrium between the game and their enemies. An argument against the introduction of weasels and stoats into this country was furnished by Professor Newman, who, seeing an advertisement in a London paper for a hundred weasels which were required for New Zealand, immediately entered a vigorous and alarming protest against the introduction of those animals into the colony. That gentleman declared that they would destroy our native birds, and particularly the kiwi, which was almost extinct. He (Mr. Holmes) would ask had they got any birds worth preserving in this country? They had only a few parrots, and the kiwi, a bird they only saw in a live state about once in seven years. That showed what frivolous arguments could be used to support a foregone conclusion. Did all the birds disappear in England, where those animals had been at liberty for generations? In England there was an abundance of game-birds, despite the fact that stoats and weasels were at large there. He believed that if they sent Home an order for stoats and weasels they would be unable to get it executed for the next seven years. He himself tried to get stoats and weasels, and in fact he was the very party who ordered the hundred weasels, and offered £1 a piece for them, yet he could not get them. Therefore he apprehended this was a mere alarm about the colony being inundated with stoats and weasels. It was something bordering on the ridiculous. The question which arose was, whether or not it was better that they should import some animals to deal with this rabbit nuisance. Was not the loss of £50,000 or £100,000 greater than the loss they would sustain through the injury to their birds or small animals? He thought there could be no question that, if stoats and weasels could be imported, it would be infinitely better than to allow the increase of this rabbit pest, which was costing the country so much. His impression was that, if they imported stoats and weasels, they would be turned out in locali-

ties where they could do no harm, such as on high stony ground, where it was impossible to hunt with dogs, or in scrubby ground, where the rabbits could only be reached by animals of this kind. He thought, under such circumstances, the Bill should be read a second time that day six months, as it was not likely to do any good to the colony.

The Hon. Mr. ROBINSON had very little hesitation in offering some remarks on this Bill, inasmuch as the subject was one in which they were all interested to the same extent. They were all in the same boat, and it was only a matter of opinion which was the best way to get to the shore. However much they might differ in opinion, it could not be said that they spoke from interested motives. He was surprised that the Hon. Mr. Holmes should say that the only birds they had in the colony were a few parrots and kiwis. He was sorry the honorable gentleman seemed to have so little knowledge of the birds of this country. Probably the part of the colony in which he lived was differently situated.

The Hon. Mr. HOLMES explained that he referred to native birds.

The Hon. Mr. ROBINSON was also alluding to native birds. Probably it was different in the part of the colony where the Hon. Mr. Holmes lived; but from his own experience he could say that the variety of birds in New Zealand was very great indeed; and they had song-birds here equal to the blackbird or thrush. The Hon. Mr. Holmes said that at Home weasels and stoats had been at liberty for years and years, and yet they had not destroyed all the birds. Yet the honorable gentleman had told them immediately afterwards that he sent Home an order for a hundred weasels, and could not get the order executed. He thought it was a very strong argument indeed in favour of there being very few weasels in Great Britain. Now, it was said that it was absolutely necessary to introduce stoats and weasels, or the country would be overrun with rabbits to such an extent that the settlers would be eaten out of house and home. His honorable friend Mr. Nurse had taken up the line of argument that he intended to have adopted; but he thought he might enlarge a little as to the damage done by insects. He had seen large tracts of grass swept away by insects. Some few years ago he noticed that all the trees in the neighbourhood where he lived were stripped of their leaves day after day and month after month by green beetles, and he introduced birds to kill these insects off. The consequence was that now they never saw one of these green beetles; but he was not egotistical enough to say that their absence was caused by his own action in introducing the birds. The birds certainly destroyed the fruit, but he said to them, "There you are; it is through you we have got the fruit—you are welcome to it." Through the introduction of birds it had been found impossible to grow fruit without placing nets round the trees. If they introduced stoats and weasels, he would say they would have all their feathered creatures destroyed. These animals would destroy all the young turkeys, ducks, and goslings, if they were to be

imported in such numbers as to have any effect in putting down the rabbits. The Hon. Mr. Waterhouse said rabbits had become a very great nuisance in Australia, and some people there had spent thousands of pounds in trying to get rid of them. After all, the rabbits in Australia were not destroyed by weasels and stoats; and if stoats and weasels were introduced here, they would become such a nuisance that they in turn would have to be got rid of. He felt sure people would have to go to the same expense in destroying the rabbits if they had weasels and stoats as they would have to do without them, and they would have to spend just as much money afterwards in destroying the stoats and weasels as they had spent in destroying the rabbits. An honorable gentleman had alluded to hawks. He would only say that all the hawks in the country had been destroyed, and the consequence was that vermin of all sorts had sprung up. He remembered a time when hawks were quite as numerous in the country as rabbits were now. The hawks were killed at the rate of 50 or 100 a week. To imagine that stoats and weasels would rid the country of rabbits was a great mistake. At the same time, he had not been convinced that rabbits were such a great nuisance as they were represented to be. He knew of some districts in which they would not increase at all; in fact, they had originally existed in those districts, but had died out, because they could no longer live there. He would vote for the second reading of the Bill.

The Hon. Captain FRASER said that the Hon. Mr. Robinson had stated that he was sure no member of the Council would speak on this subject from interested motives. He (Captain Fraser), however, was speaking from interested motives. It was all very well for gentlemen who were not suffering from the rabbit pest to talk in the way the honorable gentleman had done. He himself was very fond of birds; but if it came to be a question whether he would have birds or sheep, he would certainly vote in favour of the sheep. He would be delighted to see a shipload of stoats brought out to this country. Some honorable gentlemen had said a great deal about a matter of which they knew very little. His honorable friend Colonel Brett, who had been many years in India, knew as well as himself that there was a great deal of feathered game there, and also a great many noxious animals, and it was some of those very animals that he would like to see brought out to this country. He would like to see mongooses brought out to this country. They would destroy every rabbit, but would not touch the lambs. If his honorable friend Mr. Holmes sent to India, he was sure he would get a hundred; mongooses were just as fond of feathered game as they were of rabbits, and the result would be that there would not be much feathered game in the colony, but at the same time they would get rid of the rabbits. Some honorable members seemed to think that stoats and weasels ate the rabbits, but they did not do that; they simply sucked their blood. They always attacked the jugular, and killed the rabbits in that way. He would support the amendment.

The Hon. Mr. MANTELL said the question had been so ably argued on both sides that he required to say very little in reply. He would like to see mungoses introduced, because his honorable friend Captain Fraser seemed to think that they would be efficacious. His honorable friend Dr. Pollen, being in the painful position of an owner of weasels, was, of course, pecuniarily interested in the Bill, and he was sure, therefore, that the honorable gentleman would refrain from voting in regard to it. The Hon. Mr. Holmes had referred somewhat contemptuously to a letter of Professor Newman, and he was sorry that he had not that letter with him, in order that he might read it to the Council. He trusted that the Council would read the Bill a second time.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	12

Majority for 2

AYES.					
Captain Baillie,	Mr. Nurse,				
Mr. Bonar,	Mr. Paterson,				
Mr. Edwards,	Mr. Peter,				
Dr. Grace,	Mr. Pharazyn,				
Mr. G. R. Johnson,	Mr. Robinson,				
Mr. Lahmann,	Mr. Russell,				
Mr. Mantell,	Colonel Whitmore.				

NOES.

Colonel Brett,	Mr. J. Johnston,				
Mr. Campbell,	Lieut.-Colonel Kenny,				
Captain Fraser,	Dr. Pollen,				
Mr. Hall,	Major Richmond, C.B.,				
Mr. Hart,	Mr. Stokes,				
Mr. Holmes,	Mr. Waterhouse.				

The amendment was consequently negatived, and the Bill read a second time.

Bill considered in Committee.

Clause 3.—Prohibition of introduction of certain noxious animals.

The Hon. Mr. WATERHOUSE moved, That the word "weasels," be struck out.

Question put, "That the word proposed to be struck out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	13

AYES.

Captain Baillie,	Mr. Paterson,				
Mr. Bonar,	Mr. Peter,				
Mr. Edwards,	Sir J. L. C. Richardson,				
Mr. G. R. Johnson,	Mr. Robinson,				
Mr. Lahmann,	Mr. Russell,				
Mr. Mantell,	Colonel Whitmore.				
Mr. Nurse,					

NOES.

Colonel Brett,	Lieut.-Colonel Kenny,				
Mr. Campbell,	Mr. Pharazyn,				
Captain Fraser,	Dr. Pollen,				
Mr. Hall,	Mr. Scotland,				
Mr. Hart,	Mr. Stokes,				
Mr. Holmes,	Mr. Waterhouse.				
Mr. J. Johnston,					

The CHAIRMAN gave his casting vote with the Ayes, and the amendment was consequently negatived.

Progress was reported, and leave given to sit again.

TIMARU HARBOUR BOARD BILL.

Clause 16.—Moneys comprising Harbour Fund.

The Hon. Colonel WHITMORE moved, That subsection 5—proceeds and profits of land set aside as endowments—be struck out.

Question put, "That the words proposed to be left out do stand part of Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	14

Majority against 4

AYES.

Mr. Bonar,	Mr. Peter,
Mr. Campbell,	Mr. Pharazyn,
Mr. Hall,	Dr. Pollen,
Mr. Hart,	Mr. Stokes,
Mr. Lahmann,	Mr. Waterhouse.

NOES.

Captain Baillie,	Mr. Mantell,
Colonel Brett,	Mr. Nurse,
Mr. Edwards,	Mr. Paterson,
Captain Fraser,	Sir J. L. C. Richardson,
Mr. Holmes,	Mr. Robinson,
Mr. J. Johnston,	Mr. Russell,
Lieut.-Colonel Kenny,	Colonel Whitmore.

The motion was consequently agreed to.

Progress was reported, and leave given to sit again.

The Council adjourned at midnight.

HOUSE OF REPRESENTATIVES.

Wednesday, 25th October, 1876.

First Readings—Bills Discharged—Sir J. Vogel's Missions to England—Auditors' Report—Bonus on Paper—Canterbury Railway Coal Charges—Kaimai Gold Field—Waste Lands Administration Bill—Public Works Bill—Disqualification Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Auckland Beach Road Grants Bill, the Civil List Bill.

BILLS DISCHARGED.

The Lotteries and Art Unions Bill, the Friendly Societies Bill, the Coroners Bill.

SIR J. VOGEL'S MISSIONS TO ENGLAND.

Mr. CURTIS brought up the following report of the Public Accounts Committee:—

"The Public Accounts Committee, to whom was referred the subject of the cost to the colony

of Sir Julius Vogel's two missions to England, have the honor to report as follows:—

"The Committee find that the total expenses of the first mission amounted to £3,161 2s. 6d., as per statement attached, exclusive of Sir Julius Vogel's salary, which amounted to £638 17s. 9d.

"The Committee further find that the total expenses of the second mission amounted to £5,640 9s. 7d., exclusive of Sir Julius Vogel's claim for a further sum of £2,750, and also exclusive of Sir Julius Vogel's salary, which amounted to £2,172 16s. 5d., and of the salary of his Secretary, amounting to £534 9s. 6d. That the following statement shows the actual amounts received and claimed by Sir Julius Vogel for his salary, allowances, and personal expenses during his second mission:—

	£	s.	d.
Salary	2,172	16	5
Travelling expenses	2,171	8	0
Special allowance	1,500	0	0
Passages of himself and servant	283	10	0
	£6,127	14	5
Additional vote asked for ...	2,750	0	0
	£8,877	14	5

"The Committee append, for the information of the House, various accounts which have been furnished to them by the Treasury and the Audit Office, showing the items which form the totals above referred to, and the manner in which they have been charged to the Public Account.

"The minutes of the proceedings of the Committee are laid upon the table with this report."

AUDITORS' REPORT.

Mr. CURTIS brought up the following report of the Public Accounts Committee:—

"The Public Accounts Committee have the honor to report that they have agreed to the following resolution:—

"The Committee recommend that the Commissioners of Audit furnish to Parliament, within ten days after the close of each financial year, a comparative statement showing the amount voted during the previous session for each item of expenditure, the amount spent, and the saving or over-expenditure (if any) in each case; and further, a statement of the unauthorized expenditure in detail."

Mr. CURTIS moved, That the House agrees with the Committee in the report. He might explain that nothing more than a merely formal statement of figures was required, which the Commissioners of Audit could have no difficulty in furnishing. A similar statement was furnished to many of the Provincial Councils, and it had always been found to be an exceedingly instructive return. He apprehended it would be equally instructive to members of the General Assembly.

Motion agreed to.

BONUS ON PAPER.

Mr. BURNS asked the Government, Whether any bonus has been paid for the manufacture of paper within the colony, or any demand been

made by any person or persons for payment of any such bonus; if so, by whom?

Mr. BOWEN replied that no bonus had been paid for the manufacture of paper in the colony. Two notices had been given that demands would be made; but these demands were not made, according to conditions, within the advertised time. A great deal of machinery had been introduced into the colony for the manufacture of paper by the Mataura Company and the Woodhaugh Company. It was the intention of the Government to provide for a bonus upon the supplementary estimates, and to extend the time for making the demand; but they would take care that no bonus was paid unless the paper had been manufactured and sold within the colony.

CANTERBURY RAILWAY COAL CHARGES.

Mr. WASON asked the Minister for Public Works, If the Government, on taking over the railways, will be prepared to abolish the terminal charge of 2s. per ton for the loading and unloading of coal upon the Canterbury railways? He asked the question in the hope that the Government would give the subject the attention it required when they took over the direction of the railway lines in Canterbury and Otago. He found that for the conveyance of coal a distance of over thirty miles the charge in Otago was 5s. a ton, as compared with 7s. a ton for native coal and 9s. 6d. a ton for sea-borne coal in Canterbury. It seemed, however, that this additional charge was made up by a terminal charge of 2s. a ton for loading and unloading. This was objected to by some, who considered they could load and unload the coal at as cheap a rate as the Government. They hoped, therefore, that the terminal charges would be so far done away with that the responsibility of loading and unloading would be left to the people themselves, if they were willing to perform this work.

Mr. RICHARDSON, without being able to give a decided answer, said that, so long as the Provincial Governments continued to exist, the Government would be unable to do away with the terminal charge; but in the case of persons who loaded and unloaded their own coal a reduction should be made, though he questioned whether it could be done away with entirely.

TIMARU AND GLADSTONE PROPERTY.

Mr. WAKEFIELD asked, What steps the Government intend to take with regard to the buildings or other property of the Timaru and Gladstone Board of Works, on "The Abolition of Provinces Act, 1875," coming into operation? As the question did not clearly indicate what he meant, he might state that what he intended to ask the Government was, whether they were going to take over buildings belonging to the Timaru and Gladstone Board of Works, and set them against the liabilities of the province, or whether they would regard them as property strictly belonging to the Board of Works. There was not very much of it, but what there was belonged to the district, and he would like to know what the Government intended to do in regard to it.

Major ATKINSON said he could not give a very satisfactory answer. No doubt the same rule would apply to these as to other provincial buildings. He might have to ask the House to reconsider the matter when the question with regard to the valuation of provincial buildings came on.

KAIMAI GOLD FIELD.

Mr. SHEEHAN wished, without notice, to ask a question which had relation to a question put on the previous day as to the opening of the Kaimai country for gold mining. The answer to the former question was to the effect that every exertion was being used to open up the gold field, but that there was undue eagerness on the part of the people, which would render it necessary to act in a cautious manner. Since then, he had received a telegram from the chairman of the public committee which in Tauranga was watching the proceedings in relation to this gold field. That telegram embodied a resolution passed at a public meeting, and was to this effect: "That the reply of the Premier to Mr. Sheehan *re* Kaimai is evasive and incorrect. The public are rendering Government every assistance, and express no eagerness to obtain possession of the district as stated by the Premier. They only desire to have the country open for prospectors. We issued a circular on the 16th in English and Maori, requesting prospectors to discontinue prospecting, pending arrangements being made; thus clearly demonstrating the fact of our cordial desire to render the Government every assistance." That day he had received the following telegram:—

"On good authority committee learns that Commissioner Brabant has been to-day instructed by Government to discontinue taking any steps towards opening Kaimai. Is it too much to ask you to put the question in the House whether such is the case, without loss of time?"

That was the question he wished to put: Whether it was true that Mr. Commissioner Brabant had been instructed by the Government to discontinue any steps towards opening up the gold field? It was a matter of very great urgency, and he hoped the Government would be able to give a very satisfactory answer.

Major ATKINSON said he was unable to give the honorable member a definite answer, because the matter referred to did not lie within his department, and the Native Minister was absent. When he gave an answer to a similar question a few days previously, he did so on the authority of officers of the Native Department. They informed him that instructions had been given to Mr. Commissioner Brabant to open up the country; but that the difficulty had been increased by the eagerness of the Europeans. He was glad to hear that that was not the case, and that steps were being taken to allay any over-excitement that might have existed. Instructions would be given to take all necessary steps with convenient speed. He knew the Native Department was doing all it could to open the ground.

WASTE LANDS ADMINISTRATION BILL.

Major ATKINSON moved, That this Bill be read a third time.

Mr. REYNOLDS desired to make an explanation with reference to the amendment which he proposed when the Bill was in Committee that morning, relating to leasing the Canterbury runs. His amendment was to the effect that the clauses providing for the assessment of the Canterbury runs should be struck out, and it was carried. There seemed to be an idea in the minds of several honorable gentlemen that he was opposed to the principle laid down in those clauses. That was not the reason which induced him to move that the clauses should be struck out, but he desired that the matter should stand over until next session of the Assembly. He thought there was no use in legislating four years in advance.

Mr. FITZROY thought the remarks of the honorable member were scarcely worth answering. The vote of last night would entail real hardship upon a great number of people in Canterbury. It simply meant this: that many persons who were struggling against hard times, especially in the back country of that province, would be greatly injured. Most of them had borrowed money to a large extent upon their properties, and the mortgagees would now foreclose upon them, and the holders of the runs would thus be brought to a state of impecuniosity by a vote of the House. That would be a very great hardship indeed. It was not merely a question as to whether legislation should be postponed to next session. There was a large amount of property in the country, in the present unsettled state of affairs, absolutely unnegotiable; the runs were unsaleable, and would remain so until there was some positive legislation on the subject to decide upon what basis and in what manner the runs should be held and disposed of.

Mr. J. C. BROWN said the present holders of these runs had brought the difficulties on themselves, by paying a high price for the land for which the State received no benefit. The State was not called upon to give them compensation because those who sold to them had got an advantage over them.

Bill read a third time.

PUBLIC WORKS BILL.

The House went into Committee on this Bill. Clause 80.—Definition of road.

Mr. REID moved, That subsection 3, including in the definition of the word "road" lands over which right of way has been acquired by the public by usage, be struck out.

Question put, "That the subsection stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	25
Majority against ...					9

AYES.

Mr. Bowen,	Mr. Manders,
Mr. Bryce,	Mr. G. McLean,
Mr. Bunny,	Mr. Richardson,
Mr. Carrington,	Mr. Whitaker,
Mr. Dignan,	Mr. Woolcock.
Mr. Fitzroy,	

Mr. Hunter,
Mr. Kelly,
Mr. Kennedy,

Tellers.
Mr. Rolleston,
Mr. Wason.

NOES.

Mr. Baigent,
Mr. Barff,
Mr. Burns,
Sir R. Douglas,
Mr. Fisher,
Mr. Gibbs,
Mr. Hislop,
Mr. Hodgkinson,
Mr. Johnston,
Mr. Joyce,
Captain Kenny,
Mr. Lumsden,
Mr. Lusk,

Mr. Montgomery,
Mr. Murray,
Mr. Nahe,
Mr. Reynolds,
Mr. Sheehan.
Mr. Stevens,
Mr. Swanson,
Mr. Tawiti,
Mr. Thomson,
Mr. Tole.

Tellers.
Mr. Reid,
Mr. Rowe.

The amendment was consequently agreed to, and the clause as amended agreed to.

Clause 99.—Penalties for injuries to roads.

Mr. WASON proposed the addition of the following proviso:—"Provided that no penalty shall be imposed unless the information or complaint is laid by authority of the Board."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	20

Majority for	...	...	...	...	6
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AYES.

Mr. Andrew,
Major Atkinson,
Mr. Baigent,
Mr. Brandon,
Mr. Bunny,
Mr. Burns,
Mr. Curtis,
Sir B. Douglas,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hamlin,
Mr. Henry,
Mr. Hodgkinson,
Mr. Hunter,

Mr. Kennedy,
Mr. G. McLean,
Mr. Nahe,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Tawiti,
Mr. Whitaker,
Mr. Williams,
Mr. Woolcock.

Tellers.
Mr. Rolleston,
Mr. Wason.

NOES.

Mr. J. C. Brown,
Mr. Bryce,
Mr. Button,
Mr. Carrington,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Mr. Hislop,
Mr. Lumsden,
Mr. Montgomery,
Mr. Murray,

Mr. Ormond,
Mr. Rees,
Mr. Seaton,
Mr. Stevens,
Mr. Swanson,
Mr. Thomson,
Mr. Tole.

Tellers.
Mr. Kelly,
Mr. Sheehan.

The amendment was consequently agreed to, and the clause as amended agreed to.

Clause 100.—Penalty for a tree overhanging a road.

Mr. ROLLESTON proposed that the following words be added to the clause: "and a further

sum equal to the cost incurred by the Board in removing such tree, or lowering or trimming such hedge, or grubbing or removing such gorse."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	16

Majority for	...	...	...	...	14
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AYES.

Major Atkinson,
Mr. Baigent,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Bunny,
Mr. Burns,
Mr. Carrington,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hodgkinson,
Mr. Hunter,
Mr. Johnston,
Mr. Kelly,
Mr. Kennedy,

Mr. Lumsden,
Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Rowe,
Mr. Sharp,
Mr. Thomson,
Mr. Whitaker,
Mr. Woolcock.

Tellers.
Mr. Rolleston,
Mr. Wason.

NOES.

Mr. Andrew,
Mr. Barff,
Mr. J. C. Brown,
Mr. Button,
Mr. Dignan,
Sir R. Douglas,
Mr. Henry,
Mr. Hurthouse,
Captain Kenny,

Mr. Nahe,
Mr. Swanson,
Mr. Tawiti,
Mr. Tole,
Mr. W. Wood.

Tellers.
Mr. Hamlin,
Mr. Williams.

The amendment was consequently agreed to, and the clause as amended agreed to.

Bill reported with amendments, which were agreed to, and the Bill read a third time.

DISQUALIFICATION BILL.

The House went into Committee on this Bill.

Clause 4.—Persons holding offices under the Government to be incapable of being summoned to the Legislative Council or elected to the House of Representatives.

Mr. BUTTON moved that the clause be struck out.

Question put, "That the clause stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	40
Noes	...	...	...	...	12

Majority for	...	...	...	...	28
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AYES.

Mr. Andrew,
Mr. Baigent,
Mr. Bowen,
Mr. J. C. Brown,
Mr. Bryce,
Mr. Burns,
Mr. Carrington,

Mr. Pearce,
Mr. Rees,
Mr. Reynolds,
Mr. Richardson,
Mr. Rolleston,
Mr. Sharp,
Mr. Stafford,

Mr. De Lantour,
Mr. Dignan,
Mr. Fisher,
Mr. Fitzroy,
Mr. Gibbs,
Sir G. Grey,
Mr. Hialop,
Mr. Hodgkinson,
Mr. Joyce,
Mr. Kennedy,
Mr. Lumsden,
Mr. G. McLean,
Mr. Montgomery,
Mr. Nahe,

Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Tawiti,
Mr. Thomson,
Mr. Tole,
Mr. Wakefield,
Mr. Wason,
Mr. Whitaker,
Mr. W. Wood.

Tellers.
Mr. Brandon,
Mr. Sheehan.

NOES.

Mr. Barff,
Sir R. Douglas,
Mr. Hamlin,
Mr. Henry,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,

Mr. Rowe,
Mr. Shirimaki,
Mr. Woolcock.

Tellers.
Mr. Button,
Mr. Manders.

PAIR.

For. Captain Kenny. *Against.* Captain Morris.

The clause was consequently agreed to.
Clause 5.—Who are to be exempt from last preceding section.

Subsection 2.—Speakers and Chairmen of Committees, and persons appointed in pursuance of resolution of either House.

Mr. BUTTON moved, That after the words "resolution of either House of the General Assembly" the following words be inserted: "naming the persons."

Question put, "That the words proposed to be inserted be there inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	19
Majority for	...	...	...	...	8

AYES.

Mr. Baigent,
Mr. Barff,
Mr. J. O. Brown,
Mr. Carrington,
Mr. Dignan,
Sir R. Douglas,
Mr. Fisher,
Sir G. Grey,
Mr. Hamlin,
Mr. Henry,
Mr. Hialop,
Mr. Hodgkinson,
Mr. Joyce,
Mr. Kelly,

Mr. Nahe,
Mr. Reynolds,
Mr. Rolleston,
Mr. Sheehan,
Mr. Swanson,
Mr. Taiaroa,
Mr. Takamoana,
Mr. Tawiti,
Mr. Tole,
Mr. Wakefield,
Mr. W. Wood.
Tellers.
Mr. Button,
Mr. Montgomery.

NOES.

Mr. Andrew,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Burns,

Mr. Ormond,
Mr. Pearce,
Mr. Richardson,
Mr. Rowe,
Mr. Sharp,

Mr. De Lantour,
Mr. Gibbs,
Mr. Hunter,
Mr. Kennedy,
Mr. Lumsden,

Mr. Thomson,
Mr. Whitaker.
Tellers.
Mr. Manders,
Mr. Wason.

PAIR.

For. Captain Morris. *Against.* Captain Kenny.

The amendment was consequently agreed to.
Subsection 7.—Barristers acting as counsel for the Crown.

Mr. KELLY moved the omission of the words "any barrister" at the commencement of the subsection.

Question put, "That the words proposed to be omitted stand part of the subsection;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	15
Majority for	...	...	...	...	12

AYES.

Mr. Andrew,
Mr. Barff,
Mr. Brandon,
Mr. Burns,
Mr. Button,
Mr. Carrington,
Mr. Dignan,
Mr. Hialop,
Mr. Hodgkinson,
Mr. Hunter,
Mr. Hursthouse,
Mr. Joyce,
Mr. Kennedy,
Mr. Lumsden,

Mr. Montgomery,
Mr. Nahe,
Mr. Pearce,
Mr. Swanson,
Mr. Taiaroa,
Mr. Tawiti,
Mr. Thomson,
Mr. Tole,
Mr. Wason,
Mr. Whitaker,
Mr. W. Wood.
Tellers.
Mr. De Lantour,
Mr. Sheehan.

NOES.

Mr. Baigent,
Mr. J. O. Brown,
Mr. Bryce,
Sir R. Douglas,
Mr. Fisher,
Mr. Gibbs,
Mr. Hamlin,
Mr. Henry,

Mr. Ormond,
Mr. Reynolds,
Mr. Rowe,
Mr. Stevens,
Mr. Woolcock.
Tellers.
Mr. Kelly,
Mr. Rolleston.

PAIR.

For. Captain Morris. *Against.* Captain Kenny.

The amendment was consequently negatived.
Mr. HENRY moved, That, after the words "any barrister or solicitor of the Supreme Court," the following words be inserted: "or resident medical practitioner."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	19
Majority for	...	...	...	...	4

AYES.	
Mr. Barff,	Mr. Montgomery,
Mr. J. C. Brown,	Mr. Nahe,
Mr. Bryce,	Mr. Rees,
Mr. Button,	Mr. Reynolds,
Mr. Carrington,	Mr. Richardson,
Sir R. Douglas,	Mr. Rowe,
Mr. Fisher,	Mr. Taiaroa,
Mr. Hamlin,	Mr. W. Wood,
Mr. Hodgkinson,	Mr. Woolcock.
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Joyce,	Mr. Henry,
Mr. Kennedy,	Mr. Kelly.

NOES.	
Mr. Andrew,	Mr. Ormond,
Mr. Baigent,	Mr. Pearce,
Mr. Bowen,	Mr. Rolleston,
Mr. Burns,	Mr. Swanson,
Mr. Dignan,	Mr. Thomson,
Mr. Fitaroy,	Mr. Whitaker.
Mr. Gibbe,	<i>Tellers.</i>
Mr. Hielop,	Mr. De Lautour,
Mr. Hunter,	Mr. Sheehan.
Mr. Johnston,	

For.
Captain Morris.
The amendment was consequently agreed to.
Mr. RICHARDSON moved, That, after the words "resident medical practitioner," the following words be inserted: "or engineer."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	34

Majority against 19

AYES.	
Mr. Barff,	Mr. Nahe,
Mr. Bryce,	Mr. Pearce,
Mr. Carrington,	Mr. Reynolds,
Mr. Hamlin,	Mr. Rowe,
Mr. Henry,	Mr. Woolcock.
Mr. Hunter,	<i>Tellers.</i>
Mr. Hursthouse,	Sir R. Douglas,
Mr. Lumsden,	Mr. Kelly.

NOES.	
Mr. Andrew,	Mr. Rees,
Mr. Baigent,	Mr. Rolleston,
Mr. Bowen,	Mr. Sheehan,
Mr. Brandon,	Mr. Stafford,
Mr. J. C. Brown,	Mr. Stevens,
Mr. Burns,	Mr. Swanson,
Mr. De Lautour,	Mr. Taiaroa,
Mr. Dignan,	Mr. Takamoana,
Mr. Fisher,	Mr. Tawiti,
Mr. Fitaroy,	Mr. Thomson,
Sir G. Grey,	Mr. Tole,
Mr. Hielop,	Mr. Wakefield,
Mr. Hodgkinson,	Mr. Whitaker,
Mr. Johnston,	Mr. W. Wood.
Mr. Joyce,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Teschemaker,
Mr. Murray,	Mr. Wason.
Mr. Ormond,	

The amendment was consequently negatived.

Mr. ROLLESTON moved the omission of the following words after the word "acting:" "for or on behalf of Her Majesty the Queen, or the Governor or the Government of New Zealand, or any officer of such Government."

Question put, "That the words proposed to be omitted stand part of the subsection;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	22

Majority for 1

AYES.	
Mr. Barff,	Mr. Joyce,
Mr. Bowen,	Mr. Montgomery,
Mr. J. C. Brown,	Mr. Rees,
Mr. Burns,	Mr. Swanson,
Mr. De Lautour,	Mr. Takamoana,
Mr. Dignan,	Mr. Thomson,
Sir R. Douglas,	Mr. Tole,
Mr. Fisher,	Mr. Whitaker,
Mr. Hamlin,	Mr. W. Wood.
Mr. Hielop,	<i>Tellers.</i>
Mr. Hodgkinson,	Mr. Henry,
Mr. Hunter,	Mr. Sheehan.

NOES.	
Mr. Andrew,	Mr. Richardson,
Mr. Brandon,	Mr. Rowe,
Mr. Bryce,	Mr. Stafford,
Mr. Fitaroy,	Mr. Stevens,
Mr. Hursthouse,	Mr. Tawiti,
Mr. Johnston,	Mr. Teschemaker,
Mr. Kennedy,	Mr. Wakefield,
Mr. Lumsden,	Mr. Wason.
Mr. G. McLean,	<i>Tellers.</i>
Mr. Ormond,	Mr. Kelly,
Mr. Pearce,	Mr. Rolleston.
Mr. Reynolds,	

For.
Captain Morris.
The amendment was consequently negatived, and the clause was agreed to.

Clause 6.—Disqualification of member for a period of six months after ceasing to be member.

Mr. REYNOLDS moved, That the word "six" be struck out, with the view of inserting the word "twelve" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	27

Majority against 8

AYES.	
Mr. Andrew,	Mr. Kennedy,
Mr. Bowen,	Mr. Lumsden,
Mr. Brandon,	Mr. G. McLean,
Mr. J. C. Brown,	Mr. Richardson,
Mr. Bryce,	Mr. Rowe,
Mr. De Lautour,	Mr. Whitaker,
Sir R. Douglas,	Mr. Woolcock.

Mr. Hamlin,
Mr. Henry,
Mr. Hursthouse,

Tellers.

Mr. Barff,
Mr. Kelly.

NOM.

Mr. Baigent,
Mr. Burns,
Mr. Dignan,
Mr. Fisher,
Mr. Fitzroy,
Mr. Hislop,
Mr. Hodgkinson,
Mr. Hunter,
Mr. Joyce,
Mr. Montgomery,
Mr. Ormond,
Mr. Pearce,
Mr. Rees,
Mr. Rolleston,

Mr. Seaton,
Mr. Stafford,
Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Teschemaker,
Mr. Thomson,
Mr. Tole,
Mr. Wakefield,
Mr. Wason,
Mr. W. Wood.

Tellers.

Mr. Sheehan,
Mr. Reynolds.

PAIR.

For.

Captain Morris.

Against.

Captain Kenny.

The amendment was consequently agreed to, and the clause as amended agreed to.

Clause 8.—Exemption of certain contracts.

Mr. BARFF moved, That the following words be struck out: "any contract for printing or advertising."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	25
Majority against...	...	...	...	...	17

AYES.

Mr. Bowen,
Mr. Bryce,
Mr. Hunter,
Mr. G. McLean,
Mr. Tawiti,

Mr. Whitaker.

Tellers.

Mr. Barff,
Mr. Kennedy.

NOM.

Mr. Brandon,
Mr. Burns,
Mr. De Lautour,
Mr. Fisher,
Mr. Fitzroy,
Mr. Hamlin,
Mr. Hislop,
Mr. Hodgkinson,
Mr. Joyce,
Mr. Lumsden,
Mr. Montgomery,
Mr. Rees,
Mr. Reynolds,

Mr. Rolleston,
Mr. Seaton,
Mr. Sheehan,
Mr. Stevens,
Mr. Swanson,
Mr. Thomson,
Mr. Tole,
Mr. Wakefield,
Mr. Wason,
Mr. W. Wood.

Tellers.

Mr. Andrew,
Mr. Kelly.

The amendment was consequently agreed to, and the words struck out.

Bill reported to the House with amendments, which were agreed to, and the Bill was read a third time.

The House adjourned at ten minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 26th October, 1876.

First Reading—Second Reading—Third Reading—Bill Discharged—Waka Maori—Mr. Mackay's Book—Waste Lands Bill—Noxious Animals Prohibition Bill—Lyttelton Harbour Board Bill—Moeraki Harbour Board Bill—Hokitika Harbour Board Bill—Timaru Harbour Board Bill—Oamaru Harbour Board Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Disqualification Bill.

SECOND READING.

The Public Works Bill.

THIRD READING.

The Ohinemuri Gold Fields Agricultural Leases Bill.

BILL DISCHARGED.

The Gold Fields Bill.

WAKA MAORI.

The Hon. Mr. NGATATA asked the Colonial Secretary, without notice, Whether it was the intention of the Government to publish the speeches of the Maori members of Parliament in the *Waka Maori*, in accordance with the motion passed by the Council on 18th September, 1875?

* The Hon. Dr. POLLEN replied that honorable gentlemen were probably aware that the vote for the maintenance of the *Waka Maori* had been objected to in another place. If, however, it was decided that the paper should be continued, the custom which had hitherto been observed in regard to the publication of Maori members' speeches would, he had no doubt, be continued also.

MR. MACKAY'S BOOK.

* The Hon. Mr. NGATATA said that a resolution had been passed by the Council last year in reference to the translating and printing of Mr. Mackay's book on the Middle Island purchases into the Maori language. He wished to ask what had been done in regard to the matter.

* The Hon. Dr. POLLEN said that if his recollection did not betray him, the Council merely ordered that an abstract of the book should be translated into the Maori language, and he was under the impression that the Interpreter to the Council should be instructed to make such an abstract.

The Hon. Mr. MANTELL was under the impression that it was decided that the whole of the book should be translated.

WASTE LANDS BILL.

* The Hon. Dr. POLLEN.—Sir, this Bill has come up to us from the House of Representatives, where it was introduced by the Premier. It is similar in character to other Bills which have been before this Council, inasmuch as its introduction has been rendered necessary by the impending provincial changes. It provides the

machinery for the administration of the waste lands of the Crown in the several provincial districts after the Abolition Act comes into force. It provides that the administration shall be carried on under the laws at present existing in the provincial districts, with such modifications of a general as well as of a particular character as the altered circumstances may render necessary. I think it is very much to be regretted that a Bill of this character should come into our hands at such a late period of the session; but as it does not to any great extent, except in the instances to which I will refer presently, disturb the existing arrangements, and as it will be referred to the Waste Lands Committee in the usual course, our dealings with it will be a good deal simplified by the examination which it will undergo in that Committee. It will be, I think, a step, if not a very long one, towards establishing a system of uniformity of administration of the waste lands. One of the steps towards that uniformity is the elimination which is proposed to be effected by this Bill of the provisions for the formation of special settlements, and the clauses which are known as homestead clauses which exist in several of the waste land laws, which are now in force in the provinces. The Bill also confines, as far as practicable, transactions for the disposal of land to sales for cash and to sales under the deferred-payment system. The existing systems of dealing with the runs in pastoral country is not proposed to be altered by this Bill. The fact that there is no proposition to alter this system in the Bill is not to my mind an evidence that a necessity, in some of the districts at least, does not exist for such an alteration; and I have no doubt that question, if the Bill goes before the Waste Lands Committee, will be brought forward for consideration again. It is one of large importance, affecting very grave interests. The Council will see that the provision, which I think may be said to be complete, and I hope will be found by the Council to be satisfactory, for the disposal of land upon what is known as the deferred-payment system, does not confine that system, as it was hitherto confined, to rural lands, but provides that all lands may be brought under its operation upon certain specified conditions. It limits the quantity which may be taken up by any selector of rural land to 200 acres and to one suburban or town allotment. It provides for actual occupation and improvement of the land, and I think, carries out generally all that those who approved of this deferred-payment system—and they are many—desire to see established. This system, in two instances at least, is extended beyond the usual and ordinary limits—that is, in respect to the districts of Otago and Southland, in which provision is made for the disposal of pastoral lands in blocks of 5,000 acres upon this system of deferred payments. The provisions with respect to Otago are contained in the 80th and subsequent clauses, and the same provisions are made applicable to dealing with pastoral lands in Southland. The machinery which is provided for the administration of these lands is by Waste Land Board in all the provincial districts. In Auckland and Hawke's Bay,

where no Land Boards exist, the Governor is given power to constitute them; and where the Land Boards do exist, they are declared to be the Land Boards under this Act, and to hold office until the end of next year. It will be seen that the Bill proposes to repeal the Immigrants Land Act, which was enacted three years ago, and operations under which have not been found to be altogether of that satisfactory character that was anticipated when this Act was passed. It also does effectively what has on several occasions been attempted to be accomplished in this Legislature: it abolishes altogether the system of making benevolences—as I have called them on several occasions—to Volunteers out of the lands of the colony. Those grants of land did not confer upon the individual Volunteer the benefit that was intended, and they cost the colony a great deal of land. I have known in my own province cases in which certificates of the value of £30, entitling the holders to sixty acres of land, have been sold for £4 or £5, and in many instances for less. The Volunteer Land Acts of 1865 and 1867, as well as several amending Ordinances, are declared to be repealed. All claims which have accrued are proposed to be saved. There is a provision in clause 12, in reference to pre-emptive rights, as to which, no doubt, there will be considerable difference of opinion. A general power is given to the Governor by the next clause to make reserves under condition that the returns of those reserves shall in every session be laid before the Assembly; and that whether they are to become permanent reserves will depend on the action of both Houses. The Bill also provides for bringing the confiscated lands under the ordinary waste lands administration, instead of being, as at present, under a separate administration. It provides for dealing with the lands purchased in the North Island, for the completion of purchases which have not been finally concluded, and for dealing with lands which have been leased—as they have been leased to a very considerable extent—from the Natives for a period of years. It gives the power of leasing those lands; and it makes another arrangement with respect to surveys of Native lands, by bringing all the existing surveys of such lands under the Surveyor-General of the colony, instead of being, as they are at present placed by the Native Lands Act, under the Inspector of Surveys. There is a section in the Bill devoted to the subject of State forests, and it gives the Governor very large powers—powers, indeed, which were proposed to be conferred, to a great extent, upon the Commissioner by the State Forests Act. There are a number of amendments made in the Waste Lands Acts in force in the several provincial districts; but they are for the most part merely of a technical character, in order to bring the working of those Acts into conformity with the new general provisions. I beg to move that the Bill be read a second time.

* The Hon. Colonel WHITMORE.—I shall support this Bill as it stands. I do not altogether approve of the principle of deferred payment unless accompanied by very strict disqualification clauses. There appears to be great impropriety

in the exercise of the franchise by persons who are purchasers on deferred payment; and the influence they may exercise upon the Legislature if this privilege is extended all over the country will be very much against the interests of the colony. I think that under the circumstances we have no right to refuse to pass what is chiefly a machinery Bill, or even to consider it to a very great extent. I notice very considerable improvements in this Bill as it appears here upon the Bill that was originally introduced in another place, and to which I gave a great deal of attention; and I think the omission which has occurred entirely advantageous, as at this late period of the session it would be quite impossible for us to enter into so wide a question as that of the Canterbury leases. If there is any attempt to reintroduce those provisions in the Bill, it will meet with most determined opposition from me. There is no less than four years' time to consider the matter, and I think that a question of so much importance to the whole country should not be thrown down on the floor of this Council on the third or fourth day before the termination of the session. If there was any intention to have introduced those clauses, I should consider it very culpable on the part of the Government to have kept the Bill back to the present time. There is no Bill more proper to be first introduced into the Legislative Council than a Waste Lands Bill; and it has been kept back, kept back, all the time that we have been asking to have business brought down to us. I do not think that in a matter of this kind, which we are disposed always to enter into with a liberal spirit, and with the utmost desire to give fair play and to consider the existing claims of early settlers, clauses of that kind should be hurried into this Council in the last few days of the session, as I understand there is some danger of. We shall be placed upon the horns of a dilemma: we shall either have to refuse those proposals, and thereby to a certain degree prejudice the chance of the persons interested obtaining what they wish, or we shall run the risk of doing an injustice to the country, and incurring the accusation of having favoured a class who certainly are not in a majority here, but with whom we are popularly supposed to sympathize. I have only to say, with regard to the provisions still left in the Bill, that I see nothing to complain of. I entirely agree with the arrangement for repealing the Immigrants and Volunteers Land Acts. To a great extent these things have been a nuisance, and not only a nuisance but a very great injustice to the country, because the land orders have in some cases been very unworthily used. The provision with regard to the Waste Land Boards is one which, I presume, could not be avoided under the circumstances. It is not exactly what I could have wished. So long as the Government is a land-buying and land-selling institution, I should prefer that there should be a Crown Lands Commissioner who should act distinctly under the instructions and on the responsibility of a Minister of Lands. But I presume that the difficulty under which the Government labour in this case may be of

a character which it is to our interest to assist them in throwing off their shoulders. There is very great pressure brought to bear upon them, and it may be to the interest of the country that they should be relieved of that pressure. But, with respect to the deferred-payment clauses, honorable gentlemen will see that this system is proposed to be adopted practically throughout the whole colony and otherwise enlarged; and I am much afraid that a very large class of persons will arise under it, having a distinct interest in upsetting the arrangement they have entered into with the Government after they have got possession of their land. I think it would be only judicious if we were to propose next session—for this year, perhaps, we have not time to go into the question—to disfranchise all persons who hold land under deferred payment. This question of disfranchisement will have to be considered much more widely in a short time; and I believe, if we do not wish to be alternately ruled by the Civil Service and by the persons who hold land on deferred payment, and possibly by miners, we ought to disfranchise the whole of those classes of people—the Civil Service more especially; for that is becoming a power in this country which we have very little idea of as yet, and the destruction of the provinces can only have a tendency to enlarge the Civil Service. The purchasers of land on deferred payment will in a very short time be a very large proportion of the population, and their interest will be distinctly to repudiate their obligations. I do not say they would do that—they may be honorable enough not to do it; but I wish to point out that such would be their interest; and I think it ought to be our interest to disfranchise them until they have completed their purchases. The miners I am not so sure about. I wish, in conclusion, to say that I am exceedingly pleased to find that the Government have inserted in this Bill the clauses for the protection of the State forests, and I think they deserve great credit for having done so. It would be exceedingly dangerous, in a purely machinery Bill, to introduce any amendments of importance in Committee; and I feel quite sure, if there is any attempt to introduce clauses bearing upon the leasing of the Canterbury runs, those clauses will eventually be thrown out, a number of days wasted, and we shall do ourselves great discredit in the estimation of the country by having endeavoured to carry such provisions.

The Hon. Mr. WATERHOUSE.—I must say that I share in the regret expressed by the Colonial Secretary that a Bill of this important character should have been introduced into this Council at so advanced a period of the session. It is impossible, in the short time now left at our disposal, to devote to this Bill, which is one of the most important the Colonial Legislature is called upon to deal with, that time and attention which it merits. It has been said by the Hon. Colonel Whitmore, in the course of his remarks, that this is purely a machinery Bill. If the Bill were of that character exclusively, I should not have the same objection to dealing with it now that I do experience. But it is far more than a machinery Bill. It is a Bill dealing with great principles

which have been tried upon only a limited scale in the colony, and which it is now proposed to bring into operation throughout the colony; and it is very unfortunate that, in discussing a Bill dealing with such great principles as are contained in this measure, there should be so limited an amount of time at our disposal that it is impossible for us to grapple with them, and devote to them the time and consideration they deserve. I must say that to a great extent I differ from the Hon. Colonel Whitmore as to the course we should adopt in regard to this Bill. He has stated that he thinks it very objectionable that we should make any extensive amendments in the Bill itself. Now, so far as the Bill is purely a machinery Bill, it is, of course, important, and indeed necessary, that we should pass it. There is an absolute necessity for the providing of some machinery for carrying on the administration of the waste lands, now that Provincial Governments have been abolished; but I think that at the present advanced period of the session our legislation should be confined to providing this machinery, and that the other and more extensive questions that are opened up in this Bill should be deferred to another session, when there will be time at our disposal to devote to them the attention they merit. I throw this out for the consideration of honorable members. Any honorable member who has endeavoured to go through this Bill carefully must have realized that it was impossible in its present shape, in the time we have had, to comprehend the measure thoroughly. Every honorable member must feel that, if we pass it as it is, we shall pass a Bill of a great deal of the details of which we are ignorant. It may be said that the Bill is to be referred to the Waste Lands Committee. I admit it is so; but the Waste Lands Committee, in the very limited time it will have to devote to this measure, will not be able to make itself master of the details contained in the Bill. It must agree to a report when to a great extent in ignorance of the Bill itself; and it is not desirable in the interests of Parliament, in the interests of the country, that great and important questions of this sort should be legislated upon in this manner. As regards the abolition of the Immigrants Land Act of 1878, I may state at once that I view that with great satisfaction. I remember that that Bill was introduced with a great flourish of trumpets, and at the time brought a considerable amount of popularity upon the honorable gentleman who introduced it to the notice of the Colonial Legislature—an amount of popularity that, after three years, is only equalled by the amount of popularity obtained by that honorable gentleman when he indicated his intention, early in the session, to propose its repeal. I always believed that the measure was a delusion, and that it would not be attended by any public benefit whatever; and I see that that view is realized. This is the second of the political bubbles of late years that we have seen collapse during the present session; and I wish I could believe that they are not the precursors of a noble army of martyrs that will follow in succeeding years. The question of the constitution of the Waste Lands Boards is one of very considerable importance

indeed, and I could wish that in this measure that question had been dealt with in a more comprehensive and more satisfactory manner. These Boards should either be of an independent character, or else be done away with entirely. As they are proposed to be adopted, they will merely serve as buffers between the Government and the public. They will relieve the Government from a great deal of responsibility that would otherwise attach to them, and, at the same time, they will not possess that independent power which will enable them efficiently to protect the interests of the public. I will refer to the great and important principles introduced into this Bill. The Colonial Secretary alluded to the fact that, as regarded deferred payments, which are now made of universal application throughout the colony by this Bill, town and suburban as well as rural lands would be affected. It is illustrative of the want of attention paid to this Bill elsewhere, and of the attention which, if it is to pass into law this session, it is requisite we should devote to it, that there are in these parts provisions which show that there has been no thorough consideration of the details of this portion of the Bill. For instance, while it is proposed that town and suburban lands should be sold on the system of deferred payment, I find, as a condition of the acquisition of such land on those terms, that a selector shall in one year bring into cultivation not less than a twentieth of the land; that he shall within two years bring into cultivation not less than a tenth of the land, and so on. According to the Bill, even town and suburban lands must be actually brought into a state of cultivation. I only refer to this as illustrative of the considerable amount of amendment required in this Bill, and I mention it because it is suggestive of the idea that, at this advanced period of the session, we can scarcely devote to the measure itself that time and attention which will enable us to make it a workable measure. With regard to the large series of amendments in the second to the tenth parts of the Bill inclusive, I will only say that I believe it is utterly impossible for any person, without devoting several days to the subject, to understand what these amendments are, and how far they will work in unison. These reasons lead me to the conclusion that, while it is absolutely necessary that we should pass a portion of the Bill, it would be beneficial to the public that the other portions, which are not connected with the simple machinery provided for carrying on the administration of the waste lands of the Crown, should be held over for another session.

The Hon. Captain FRASER.—Sir, I imagine that the Hon. Mr. Waterhouse did not clearly understand what fell from the Hon. Colonel Whitmore. I understood the Hon. Colonel Whitmore to say that he objected altogether to any attempt at re-introducing into this Bill certain clauses connected with the Canterbury leases which were struck out by the representatives of the people. He said he would set his face against that, and I hope the whole Council will do so too. A great many of us in this Council being connected with wool-growing, I think it would be

very wrong on our part to re-introduce those clauses. I apprehend that was the meaning of the remarks made by the Hon. Colonel Whitmore, and he will have my hearty assistance in carrying out those views. I quite agree with what fell from the Hon. Mr. Waterhouse with regard to the Waste Land Boards. Ever since I have been in the colony I have objected to the Waste Land Boards. I have never seen them work well. Certainly, in Otago they have never worked well. I recollect that at one time we had no less than twelve or fifteen Waste Land Commissioners; but the Hon. the Speaker, at one swoop, cleared them all out. Then there was a new system introduced, and that did not work well. I have never yet seen a Waste Land Board give satisfaction in Otago; and I think the sooner the Waste Land Boards are done away with the better. Why should we have a system different from the other Australian colonies, where the Chief Surveyor is the Waste Land Board? Let the Waste Lands Board come face to face with the Government, and do not let us permit the appointment of half a dozen guinea-pigs, who can be removed by the Government, and who, of course, are the servants of the Government. I call them guinea-pigs because they receive a guinea a week. It is just like having a member of the Civil Service here, holding a very high appointment, the duties of which should be performed independently; but if he receives pay from the Government outside his office he is no longer independent, and should no longer hold that appointment. There is a very strange novelty introduced into this Bill, which I think will be a very great blessing to the part of the country from which I come. I mean the disposal of pastoral land in blocks on deferred payments. I think that is one of the greatest blessings which could be introduced into Otago or elsewhere in the interests of settlement; because, although we have a number of runs in Otago—I think about 800—how very few of those holding runs are living on them! They are living at the centres of population or at Home, doing no earthly good whatever in their own localities. I shall make every effort in my power to prevent any tampering with this Bill, lest it should be thrown out when it is sent back to the other House. I consider that would be a very great misfortune, because I think that this new system which is about to be introduced, and which has the consent of the whole of Otago, will be a great blessing. I shall support the Bill, and resist every attempt made to tamper with it.

* The Hon. Mr. HALL.—I am sorry I cannot on this occasion agree with much that has fallen from the Colonial Secretary, and I trust that the Council will rather take the view of the case expressed by the Hon. Mr. Waterhouse. I think this Council, and the persons affected by the Bill, have reason to complain of the conduct of the Government in the way they have dealt with this subject. My honorable friend was surely facetious when he said that this was a mere machinery Bill. If the honorable gentleman expects us to believe that, he must assume that we are not going to read the Bill. It contains

machinery, it is true; but it contains a great deal more. It introduces a land policy of a radical and novel character. If the Government really meant this question to be dealt with during the present session, they ought to have brought it under the consideration of the other branch of the Legislature and before this branch at such a time as would enable us to give it that careful attention which a question of this importance absolutely requires. I think it is very undesirable that this Council should be deprived, as we now are, of the opportunity of putting a check on hasty legislation, which in matters connected with waste lands is perhaps more necessary than in any other. Yet if we are really to go into the large questions involved in this Bill, I say we are practically deprived of this opportunity; because, even if it is referred to the Waste Lands Committee, as the Hon. Mr. Waterhouse has said, to do it anything like justice the Waste Lands Committee would have to consider it day after day for several days; and it will be a mere sham if, at this period of the session, they pretend to say that the clauses are correct, or that they require, or do not require, alteration. However assiduously the Waste Lands Committee may apply themselves to that task, I defy them to do justice to it in the short time that, in all probability, will be at their disposal. My own view, therefore, is that the proper course to take would be that suggested by the Hon. Mr. Waterhouse: that we should pass the absolutely necessary alterations in the administrative machinery, and leave the larger questions involved to be dealt with in a subsequent session. We have been told lately, in connection with other subjects, that it is only a few months before Parliament will meet again, and this question can very well stand over for that time. It should not be forced on us at a time when we really cannot discuss it. A considerable number of members are away, and before the matter comes to a vote more members will have left. The Hon. Colonel Whitmore referred to the extension of the system of deferred payments; and to a considerable extent I agree with his remarks. I very much doubt whether the system of deferred payments will have that effect in the *bond fide* settlement of the country that many persons anticipate. All I know is, that in the part of the country where I have lived so long, we have never had any system of that kind, and actual *bond fide* agricultural settlement there is in excess of that which exists in any other part of the colony of the same size. The system of payment for the land of a sufficient fixed price, cash down, has answered there, and has brought under cultivation a greater amount of land, has distributed it in a larger number of holdings, than in any other province. I think it is a matter for regret to see a land system which has existed so long and worked so well in that province interfered with. There has been no demand from that part of the country for any such alteration. The political disadvantages of this system the Hon. Colonel Whitmore has not over-rated; and it is of importance to consider whether, if danger exists under the deferred-payments system in operation

hitherto, it will not be immensely increased when we extend that system to another class of people—people more well-to-do in the world, more active-minded, and who take a more active and influential part in politics—namely, those to whom you propose to sell large blocks of pastoral land on deferred payments. If you extend the system of deferred payments in that way, I agree with the honorable gentleman that the time may come when no Government will be able to stand against these deferred-payment holders unless it agrees to make unreasonable concessions from time to time. The history of deferred-payments in other colonies, as far as I am aware, has been in that direction. I should like to know from the Colonial Secretary what is the policy of the Government in this respect. The deferred-payment clauses in the early part of the Bill were in it when the measure was introduced by the Government; but the latter part of the clauses, and the most important part, is a mere recommendation by the Waste Lands Committee—a very small proportion of the Legislature. I have not heard that any reason has been given by the Government for the adoption of so large and important a change. I must say that I think the introduction and passing, almost without debate, at an advanced hour in the morning, of a provision effecting so radical a change in the land policy of the country, without leading or guidance by the Government, is a matter of which we have great reason to complain. Referring to the clauses affecting the pastoral tenants of Canterbury, I think they also have very strong reason to complain. I must confess that before the Session commenced, I was surprised to find through the newspapers that the Government proposed to deal with this question at the present time, because the leases do not run out for nearly four years. When, however, that was one of the subjects included in the policy of the Government so long ago, I think it was the bounden duty of the Government to bring it before the other branch of the Legislature at such a time as would give it a fair chance of receiving full consideration. That is what the Government have entirely failed to do. I think it is a matter for very great regret that the subject has been shelved; but I do not think it is a matter for much surprise that the members of the other branch of the Legislature should shelve a subject brought before it at the end of the session. The raising of the question and dealing with it in that way has inflicted a very great injury on many industrious and enterprising men—men who have done more, perhaps, than any other class to promote the prosperity of the colony. It has thrown an amount of uncertainty over all pastoral property in Canterbury, that has depreciated, and must depreciate, the value of it to a very large extent. It has created anxiety and uneasiness where it need not have existed, and has spread abroad an impression that Parliament is not prepared to deal with this subject in that spirit of fairness in which I believe it will deal with it when properly brought forward. Therefore, I say again that I think the Government has not dealt fairly with the large interests which are at stake. The Hon. Captain Fraser objects

to Waste Lands Boards, which he says never worked well in Otago. I am afraid Otago may have been rather unfortunate in that respect. I believe there is a political element introduced into the Otago Waste Lands Board, containing as it does one or two members of the Provincial Government. That is a very objectionable principle. If, however, my honorable friend had taken an opportunity of collecting any information regarding the public feeling of Canterbury, and our experience of the working of the Waste Lands Board, he would find that there had been no complaint whatever. I do not know any institution that has given greater satisfaction to all classes of the community than, speaking generally, the Waste Lands Boards of Canterbury have done. There has been no kind of suspicion of partiality—there has never been any charge or the slightest imputation of partiality—and nothing but the most perfect independence and most thorough desire on the part of the Board to do their duty fairly. So far, therefore, as our experience can be of any account, we should be sorry to see that system altered. If this Bill is to go before the Waste Lands Committee, I shall do my best to deal with it; but I must say that the Government ought not to expect us to hurry over the Bill. If we are to do anything like our duty, we must take time over it, and must have the session extended to whatever length may be necessary to enable us to deal fairly with it. If not, I shall entirely object to, and do my best to oppose, any legislation whatever on the subject.

* The Hon. Mr. HOLMES.—I would merely reiterate what has been already said regarding the short time we have had this Bill in our hands, and our utter inability to master all its details. This Bill perpetuates in some of the provinces the bad system of a variety of prices for land. I quite agree with the Hon. Mr. Hall, that no system has ever been devised, either in New Zealand or any Australian colony, which has worked so uniformly well as that of Canterbury. It has not only afforded satisfaction to the labouring classes, but it has not interfered unduly with any section of the community. The result of the Canterbury land law is, that there is more *bona fide* settlement, more agriculture, a denser population in Canterbury, in proportion to its area, than there is in any other part of New Zealand, and I might say, in any part of the colonies. The system has worked admirably. I have myself purchased under it, and I was very well satisfied. With regard to the action of the Waste Lands Board, I can testify that although under the peculiar circumstances there might have been a tendency to favouritism, yet a more upright or honorable Board I never had anything to do with. With regard to the system of deferred payments, I will only say that the land now upon in a great portion of the Middle Island is so far removed from the centres of population, that I think if we grant the privilege at all, we ought to give the land in sufficient quantity to be of some use to the settlers. I think that every man taking up land should be able to get half a square mile or 320 acres. I have made it my business to inquire how the system has worked in Otago, and, from

all that I have learned, it has been a success in that province. But we must recollect that since the system was introduced, the Board has been in good hands, and it has been administered in such a way that there has been no collusion, and no attempt at collusion has been permitted. Therefore, nothing that has transpired heretofore would lead me to believe that the system has been anything but a success. With regard to State forests, I think more stringent regulations are necessary to prevent their being cut down indiscriminately. Under the present system, a large proportion of the timber is wasted; but with more careful management, I believe that our forests might be made to produce a very much larger income to the State, and be as profitable to those who work them. There is one suggestion to which I would call the attention of the Government in connection with this matter. I believe it would be desirable to sell exhausted forest land only on condition that it should be fenced in and replanted, in order that we might have trees at some future period. Now I come to the clause that deals with the disposal of blocks of land on deferred payments for merely pastoral purposes. I believe it has been determined that this system shall only apply to Otago; but I cannot understand why it should not also apply to the whole colony: my own impression is, that the same law should apply everywhere. This strikes me more particularly now, when all differences between provinces are to be done away with. Why should we now continue to have different regulations for the sale of lands lying side by side? For example, on one side of the Waitaki the upset price of land is 40s. per acre; whereas on the other the upset price of land, of equal value, is 20s. an acre. With regard to the extent of these holdings, there may be circumstances in which it would be desirable to give even a larger quantity than 5,000 acres. For example, it becomes a question whether 5,000 acres of hill-tops—of purely pastoral country—would be sufficient to support a family in anything like comfortable circumstances. I doubt whether it would be. Five thousand acres would carry about 1,500 sheep, the profits from which would be £300 to £400 a year at the most. That would not be a very large income to support a family. I hold, therefore, that if this privilege is granted at all, the proviso should read "not less than 5,000 nor more than 10,000 acres." Besides, circumstances might render it desirable that a larger quantity should be given in order to take in any particular part of country. Then there is this other consideration: A settler with 640 acres of level land might desire to possess a hilly run immediately adjoining. Are we to prevent that person acquiring a few thousand acres adjoining his homestead simply because he cannot make it convenient or profitable to live on 5,000 acres? That I consider is unreasonable; I think an addition should be made to the clause permitting persons to purchase land adjoining their present holdings, under pre-emptive rights. Those are the only peculiarities that strike me in looking over the Bill. It would take several days, however, to acquire a thorough knowledge of the

Bill, as there are such frequent references in it to other Acts which have been passed during the last eleven years.

* The Hon. Mr. BONAR.—There is no doubt a great deal of truth in what has fallen from some honorable members, namely, that this is a Bill of such an important character, and affecting so many different Acts, that it is somewhat difficult for us, at this period of the session, to grasp the contents with as much care as we would otherwise wish. I have endeavoured myself, during the short time we have had, to look through the Bill as carefully as possible; and it really appears that a large portion of it consists purely of machinery. In looking through those clauses which affect the part of the country I live in, I find that no amendment of any consequence is proposed in the regulations; and although some very considerable excisions have been made in different clauses, still I find that they are mainly of a technical character. The principal features of the Bill appeared to be, in the first place, to provide for administration in the shape of Waste Lands Boards where they do not exist at present; and, secondly, the adoption of the system of deferred payments throughout the whole colony. These appear to be the main features of the Bill; and I think that perhaps, by close application, we may be able to consider these in a fair manner, even at this period of the session. With reference to the constitution of the different Waste Lands Boards, it appears to me, from my own little experience of the matter, that certainly the best means of forming these Boards is by appointment by the Governor. And I take this opportunity of saying, that I think a most improper stigma was cast on the members of the Waste Lands Boards, by saying that they are directly under the influence of the Government, because they receive a guinea a sitting. I think that most of us who have had experience in this matter, have found that the members so appointed are men of very independent character, who would not allow themselves to be dictated to by any Government. They feel that they are placed in this position to administer the waste lands of the province in a fair, equitable, and just manner. With reference to the system of deferred payments, it seems to me that the restrictions which are placed upon the holding and possession of ground which is so to be parted with are very strict indeed. In fact, it would be a matter for consideration whether we have not been a little too stringent in the restrictions which have been made. I agree with my honorable friend Mr. Holmes in what he said as to the area of land which persons might be allowed to occupy. I think it would be fairer to allow a person to occupy 320 acres than 200 acres. The provision that no selector who has parted with his land can again select during the remainder of his life, is, I think, an extreme restriction. There are many cases in which selectors might have land adjoining each other, and it might be to the advantage of both that one should sell the land he had selected to the other. I think that, in such a case, the seller should not be precluded from selecting again for the rest of his life, and this

seems to me to be a provision which requires consideration if not modification. Another point which has been alluded to in regard to this Bill is, that provision is made for the right to purchase pastoral land up to 5,000 acres. That seems to be too large a power to give. It is not a system which would meet with my approval at present, because it would allow very large holdings to pass into the hands of persons as freeholds for such sums as would be little more than those which would be received if the lands were leased. We shall be parting with freeholds for 20s. an acre, the purchasers having fifteen years in which to pay the money, and consequently the real purchase money will only be 1s. 3d. per acre, which seems to me to be too small a price. I do not see why there should be so much difference made between the pastoral and ordinary lands. With reference to what has been said respecting the Canterbury leases, I can only say that I do not feel myself in a position to speak regarding the question, as the clauses bearing on the subject are not before us. There is, however, no doubt that the tampering or dealing, or threatened dealing, with land at a future time, unsettles very much the position of persons who have obtained large advances upon such properties; and that, I think, does not conduce to the benefit of the country. I should not wish to have people always liable to these sudden changes. It seems to me to be absolutely necessary that some measure respecting the administration of the waste lands of the colony should be passed this session; in fact, I do not see how the waste lands are to be administered unless some Bill of this sort is passed. It may be considered necessary to strike out some clauses in this Bill, which, I think, might be properly considered even at this late period of the session. I shall support the second reading of the Bill, in the hope that we may be now making a start in the direction of consolidating the laws referring to the waste lands of the colony, and having one general law instead of a number of different ones, as is at present the case.

The Hon. Mr. CAMPBELL.—Sir, I think it is desirable that the Council should consider what this Bill really means. It is a Waste Lands Administration Bill: that is to say, it is intended to enable the General Government to carry on the functions hitherto carried on by Provincial Governments. I do not see how, at this period of the session, we can properly discuss a Bill which is full of totally new features. I will refer honorable gentlemen to the Otago portion of the Bill. Now, in Otago we are quite satisfied with our land laws, and could get on very well with them, but this Bill proposes entirely new laws. Clause 87 of the Bill says: "The Otago Waste Lands Act, 1872," is hereby amended as follows:—Sections 6 to 13 inclusive, 15 to 25 inclusive, 46 to 64 inclusive, section 85, and the second schedule to the ninth schedule inclusive, are hereby repealed." Now, you would have to go through the whole of the Bill to see how any place was really affected. Again, clause 88 says: "The Otago Waste Lands Administration Act, 1874," is hereby amended as follows:—Section 2, lines 6 and 7, omit 'Superintendent,' substitute

'Board.' Section 3, lines 1 and 2, the words 'with the consent of the Superintendent,' are hereby repealed. Sections 7 and 8 are hereby repealed." Now, I contend, that to go through a Bill of this great importance properly would take at least a week. You have got to consider the clauses as bearing on the clauses that are repealed, and yet we are asked at this late period of the session to discuss the Bill. I hope the Bill will be confined simply to administration until the next meeting of the Assembly, and we can then discuss the whole policy as to the disposal of lands. As regards the pastoral lands which are proposed to be sold on deferred payments, I think it would be very undesirable to force people to live on some lands that I know. Why should a man be told that he must either live perhaps on the top of a hill, at an altitude of 5,000 or 6,000 feet, or else give up his land? Those honorable gentlemen who are as well acquainted with the lands of the colony as I am, must see the absurdity of such a provision as that. I do not think an area of 5,000 acres of pastoral land is enough for any man to get a living out of, especially when I consider that in some cases it takes five or six acres to run a single sheep. You cannot in these high countries manage the sheep unless you have the land fenced in, and it would be impossible to fence some land. I think the whole thing can be allowed to remain over till next session. I hope, in any case, that the clauses I have objected to will be struck out.

* The Hon. Dr. POLLEN.—Sir, in this as in many other cases where anything goes wrong, the first disposition is to find some one to bear the blame, and the Government has been thought to be the most convenient horse to put the saddle of blame upon. Honorable gentlemen must remember that however desirous the Government may have been to have this question of waste lands disposed of by the Legislature at an earlier period, they have not been able to determine upon the day on which honorable gentlemen in another place would allow the matter to be considered. This Bill has been for some time before Parliament, and to say that the Government have not been disposed to have it settled is, I think, to say that which is hardly warranted under the circumstances. I do not think that honorable gentlemen will refuse to give to this Bill the consideration which it requires. It is indispensable that this Bill should be passed. If the session were allowed to close without making the provision which is proposed to be made in this Bill for the administration of the waste lands, it would be impossible to sell land during the recess; and, after all, the questions of policy raised by this Bill are not of a very important character. The principal point in it is the provision that land shall be sold on deferred payments. That question has been discussed in this Council again and again, and it has met with the approval of a majority of members. As a matter of fact, it is the existing policy in the waste lands administration of the largest provinces in the colony. The question which this Bill raises is, whether the system of selling land on deferred payment shall or shall not be made

general throughout the colony; and I think this Council can decide that without any serious waste of time. The only other question in the Bill of a debatable character is the proposed increase in the price of land. Considering the large expenditure which has taken place during the last few years—the liabilities which have been incurred for the promotion of public works and immigration—it is not unfair for the Government to ask that the colony should derive some direct profit or advantage from increased value of the waste lands of the colony. Reference has been made to the number of the amendments which are proposed in the waste land laws of the several provinces. I admit that they look formidable; but the difficulty is more apparent than real. The amendments are purely of a technical character. I may take at random the amendments which are proposed to be made in the Auckland Waste Lands Act. Clause 59 proposes to repeal sections 5, 7, 9 to 14 inclusive, 16, 20, 88 to 83 inclusive, 56 to 61 inclusive, 66, 70, 75, and 78 to 83 inclusive. Section 5 of the Auckland Waste Lands Act says,—“Every act which the Superintendent is hereby authorized or required to perform, he shall perform in accordance with the advice and consent of his Executive Council for the time being.” It happens that the Superintendent of Auckland dispenses with his Executive; and as we are about to dispense with him, it is quite clear that a repeal of this clause is absolutely necessary. Sections 13 and 14 relate to making of reserves; but as a general power is given to the Governor to make reserves, there is no need for keeping a special power in the local Acts. Sections 38 to 61 of the Auckland Waste Lands Act, which it is proposed to repeal, relate to special settlements, selections under the homestead system, which it is agreed should be repealed. I need not detain the Council any longer; but I trust that the Bill will be read a second time, and that time will be afforded for its proper consideration.

Bill read a second time.

NOXIOUS ANIMALS PROHIBITION BILL.

On the question, That this Bill be now further considered in Committee,

The Hon. Mr. HALL moved, That the Bill be read a second time that day six months.

Question put, “That the word ‘now’ stand part of the question,” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	14
					—
Majority against...	...	...	...	...	3

AYES.

Captain Baillie,	Mr. Paterson,
Mr. Edwards,	Mr. Peter,
Mr. G. R. Johnson,	Mr. Pharasyn,
Mr. Lahmann,	Mr. Robinson,
Mr. Mantell,	Mr. Russell.
Mr. Nurse,	

NOES.

Colonel Brett,	Mr. J. Johnston,
Mr. Campbell,	Lieut.-Colonel Kenny,
Captain Fraser,	Dr. Pollen,
Dr. Grace,	Mr. Rhodes,
Mr. Hall,	Major Richmond, C.B.
Mr. Hart,	Mr. Stokes,
Mr. Holmes,	Mr. Waterhouse.

The amendment was consequently agreed to, and the Bill ordered to be further considered in Committee that day six months.

LYTTELTON HARBOUR BOARD BILL.

This Bill was considered in Committee.

Clause 41.—Board authorized to raise money for harbour works to the extent of £250,000.

The Hon. Mr. HALL moved, That the words “two hundred and fifty” be struck out, with the view of inserting the words “one hundred” in lieu thereof.

Question put, “That the words proposed to be omitted stand part of the question;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	2
Noes	...	...	...	...	14
					—
Majority against...	...	...	...	...	12

AYES.

Mr. Edwards,	Lieut.-Colonel Kenny.
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NOES.

Mr. Bonar,	Mr. Lahmann,
Colonel Brett,	Mr. Nurse,
Captain Fraser,	Mr. Pharasyn,
Mr. Hall,	Dr. Pollen,
Mr. Hart,	Mr. Russell,
Mr. Holmes,	Mr. Scotland,
Mr. J. Johnston,	Mr. Stokes.

The amendment was consequently agreed to.

MOERAKI HARBOUR BOARD BILL.

This Bill was considered in Committee.

The Hon. Mr. HART moved, That the Chairman do report progress.

Question put, “That the Chairman do report progress;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	5
					—
Majority for	...	...	...	...	10

AYES.

Captain Baillie,	Mr. Pharasyn,
Colonel Brett,	Sir J. L. O. Richardson,
Mr. Campbell,	Mr. Robinson,
Mr. Edwards,	Mr. Russell,
Mr. Hall,	Mr. Stokes,
Mr. Hart,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore.
Mr. Paterson,	

NOMS.

Captain Fraser,
Mr. Holmes,
Mr. J. Johnston,

Mr. Lahmann,
Dr. Pollen.

The motion was consequently agreed to, and progress reported.

HOKITIKA HARBOUR BOARD BILL.

This Bill was considered in Committee.

Clause 15. — Moneys constituting Harbour Fund.

The Hon. Colonel WHITMORE moved the omission of the fourth subsection—namely, "Proceeds and profits of land set aside as endowments."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	5
Majority for	...	...	...	...	11

AYES.

Mr. Bonar,
Colonel Brett,
Mr. Campbell,
Mr. Edwards,
Captain Fraser,
Mr. Hall,
Mr. Hart,
Mr. Holmes,

Mr. Lahmann,
Mr. Ngatata,
Mr. Peter,
Dr. Pollen,
Mr. Robinson,
Mr. Russell,
Mr. Stokes,
Mr. Waterhouse.

NOMS.

Captain Baillie,
Mr. J. Johnston,
Mr. Nurse,

Mr. Paterson,
Colonel Whitmore.

The amendment was consequently negatived.

Bill reported to the Council with amendments, and read a third time.

TIMARU HARBOUR BOARD BILL.

This Bill was further considered in Committee, and reported with amendments.

* The Hon. Mr. HALL.—I have to move, Sir, that the third reading of this Bill be an Order of the day for to-morrow. I understand that the Hon. Colonel Whitmore has been kind enough in my absence to move that the Bill be read a third time. I do not know whether I am misinformed.

The Hon. Colonel WHITMORE.—The honorable gentleman is in error. I made no motion at all. I was waiting for him to move.

* The Hon. Mr. HALL.—I was given to understand that during my absence the honorable gentleman had been kind enough to suggest that the third reading of the Bill should take place at once. I move that the third reading be fixed for to-morrow, for this reason: I have been very strongly urged by the promoters of the Bill to ask the Council to reconsider the decision at which it arrived in reference to the endowment clauses. The interests involved are so important, that I think it right to give the Council an opportunity of doing that. I do not wish honorable gentlemen, by now voting for the postponement of this Bill

until to-morrow, to express any opinion in favour of the endowment clauses; but I ask them to put it off until to-morrow, that this proposal may be made with full and fair notice—that it shall not be brought on hurriedly, and that it shall not be said that I asked the Council to reconsider its decision without the fullest possible notice. The proceeding is the ordinary proceeding in this Council on a third reading, which is that when a Bill has been amended in Committee, not to read it a third time until the following day. Of course, at the end of the session, that is often varied; and where there is occasion for it, the Bill is read a third time at once. Under ordinary circumstances, I would have moved that this Bill be read a third time now; but I trust honorable gentlemen, whatever their opinions may be as to the desirability or otherwise of reconsidering this matter, will not refuse to allow this Bill to be put on the Order Paper for to-morrow. I understand there is to be an attempt to force the third reading immediately. I must say I think that would be, under the circumstances, a very unusual, and I do not think a very considerate, course towards myself, when I ask the Council to allow the third reading to be put off until to-morrow, stating very fully and clearly my purpose in doing so, not taking it in any manner by surprise, but giving it full opportunity of knowing what it is that it is to be asked to consider. I beg to move, That the third reading of the Bill be an Order of the day for to-morrow.

* The Hon. Colonel WHITMORE.—The honorable gentleman has referred to me on two or three points, and I am now about to take him to task for it. The honorable gentleman has made use of language which I will not tolerate from him or any other honorable gentleman in this Council. He said that there was an attempt about to be made to surprise him. He said I had moved the third reading of this Bill without his knowledge. Now, I will tell honorable members what I did and what he did in this matter. The honorable gentleman attempted to surprise us and surprise me. The honorable gentleman had this plan of recommitting the Bill to-morrow, with the specious argument ready that it was the ordinary practice to read the Bill on the day after its passing through Committee, when he well knew that it was yesterday night, and not to-night, that the Bill was passed through Committee, and that the ordinary custom would have been to have read it a third time. The honorable gentleman said I moved this Bill in his absence. Far from moving it in his absence, when I heard this idea was afloat—that there was an intention to surprise us in this matter who have opposed this Bill—I went first to look for the Hon. Mr. Hall. Not finding him, I went to the Hon. Dr. Pollen. I asked the Hon. Dr. Pollen whether this was intended. I told him if I understood for certain it was intended, I should bring the matter to an issue at once, and move to report progress. He asked me to see the Hon. Mr. Hall upon the subject, and I went on purpose, and I found him and told him about it; and he admitted what he intended to do, and then I came back here and waited in my place until he stood

up and moved the postponement of the Bill. Thereupon I stood up to oppose his motion. What could be more fair, or more straightforward than the course I have adopted in this matter? I had no knowledge at the time I did it whether the honorable gentleman had a majority in this House, or whether he had not, in support of the course he had taken in the matter; but it seemed objectionable that there should be an intention late in the evening in this way to postpone the Bill until to-morrow (which is not the proper day, I beg to observe to the honorable gentleman), without any good reason, and to recommit the Bill. It was last night that the division was taken on this Bill. As the honorable gentleman himself said just now, the ordinary course would have been to have read it to-day. Had the honorable gentleman come over to me, or to any of us who took part in that Bill, and told us that he had further reasons to give, and would like to recommit the measure, we should have no possible objection to recommit the Bill, and those honorable gentlemen who are disposed now to act with me will bear me witness that if he had taken that course, we should have made no obstacle whatever to his moving the recommitment of the Bill, and its reconsideration to-morrow. It is because there has been a great deal too much, as regards this Bill, of outside influence brought to bear, which we have all felt very much, for it has brought us who are conscientiously moving in this matter into opposition with those whose intimacy and whose political friendship we have valued for years, that we all feel so very unwilling to have this matter prolonged. It is much better that we should have the thing out now and have done with it, and then let us fall back into our places. Our minds are quite made up on the subject. We did make the only possible overture to compromise the matter; we made it some time ago in the Waste Lands Committee. The promoter of the Bill told us he could not accept the amendment. There was nothing left except to throw out the endowment. Now do not let us have this hanging over us any longer. It makes exceedingly bad blood amongst people who do not wish to have bad blood amongst them, and the sooner it is disposed of the better. I must oppose this postponement of the third reading, and I move that the Bill be now read a third time. I will take a division and have done with it. I only hope the honorable gentleman does not suffer by that. I am not at all prepared to say whether he gains, or whether he does not. I would willingly try the question entirely upon the same proportion of the Council as there were present before, and, as far as I know, there are only two or three away who are likely to be here to-morrow, and which way their votes would go I do not know. I do not wish to take any advantage; I only wish to have the question settled. I consider there would have been an advantage taken if we were asked to postpone this Bill until to-morrow, when possibly some honorable members may have entered into arrangements which would make it impossible for them to be present. I move, That this Bill be now read a third time.

* The Hon. Mr. BONAR.—May I ask when this Bill finally passed through Committee? I understood that last night, after the division was taken, the Hon. Mr. Hall asked to report progress, and that the Bill was not finished until to-day. I think if the honorable and gallant Colonel will consider for a moment, he will remember that that was the course which was adopted.

The Hon. the SPEAKER.—The Bill finally left the Committee this evening.

* The Hon. Colonel WHITMORE.—I wish to surprise the honorable gentleman in no respect. If I am not incorrect, it would be a deviation from the ordinary custom to postpone the Bill till to-morrow. I think we just now read a Bill a third time, which I recollect going through this morning; and the only other Bill of many Bills which we passed through that was postponed was the Lyttelton Harbour Bill. I wish to follow the ordinary practice, and take no advantage whatever of the honorable gentleman. He said himself that the ordinary practice was to take it on the following day. Deferring to his older knowledge, I said I believed it had passed to-day, and wished the ordinary practice, if that was the ordinary practice, to be followed.

* The Hon. Mr. HALL.—Perhaps the honorable gentleman will allow me to explain what I did say. I said that, at this period of the session, it was customary to suspend the Standing Orders, and to pass Bills with unusual expedition—to read them a third time on the same day on which they passed through Committee; but that that was not the Standing Order practice. The usual Standing Order practice is, that a Bill is read a third time the day after it is amended in Committee. Now, this Bill has been amended in Committee this evening, and therefore, under the ordinary Standing Orders, it would not come on till to-morrow. Still, at this period of the session, Bills are often read a third time on the same day that they are considered in Committee. In this particular case, I propose to follow the Standing Order practice.

* The Hon. Colonel WHITMORE.—If the honorable gentleman says it is customary at this period of the session to do it, I do not seek to make any exception. I must therefore adhere to the motion I have made as an amendment to the honorable gentleman's motion.

The Hon. Mr. ROBINSON.—For one reason, I am very pleased that this discussion has taken place. I gave my vote last night without explaining to the Council my reasons for doing so; and I think I shall be in order if I give those reasons now, inasmuch as to my mind the question before the House is simply whether the Bill should be recommitment again for the purpose of inserting the endowment clauses.

The Hon. Mr. HALL.—That is not the question now.

The Hon. Mr. ROBINSON.—Is it not the intention of the honorable gentleman to move that the Bill be recommitment for that purpose?

* The Hon. Mr. HALL.—That is not the question now before the Council. The question is, whether that proposal shall be allowed to be considered to-morrow.

The Hon. Mr. ROBINSON.—Then we have no reason before us why we should delay the third reading of this Bill. The honorable gentleman gave no reason. It is now getting late in the session. We have been asked to suspend the Standing Orders, so that Bills may pass through all their stages in the course of an hour if it is possible. But I hope I will not be denied the privilege of giving shortly the reason why I gave my vote in the way I did last night. I may say it was with very great reluctance indeed that my vote came from me. I was more reluctant in giving my vote than I ever was before, in consequence of the name—a name which I respect and honor—that was placed at the head of this Bill. But I could not allow that to weigh with me when I felt that I had a duty to perform to the country; and to give my vote conscientiously, I was obliged to give it in the way I did. I was never in favour of this breakwater from the day I first saw the place. I had many conversations with people on this subject, and no one—not even I believe the gentleman whose name is on the Bill—had thought of this measure some time ago. It will be well recollected—it is no secret—that when that gentleman addressed his constituents at Timaru, a short time after it was contemplated making this breakwater, he said that he would be very willing to support a Bill for the carrying out of the breakwater, but he would very much like to see Sir John Coode answerable for the work or enter into a contract for its completion. On the face of this report, from one of the most eminent marine engineers in the world, I was inclined to give way a short time ago, and felt disposed to give my vote in favor of this measure; but after hearing the evidence taken before the Waste Lands Committee, more especially that of Mr. Stafford himself, I have come to the conclusion that I cannot conscientiously support the proposal. I think it will be recollected that even Mr. Stafford, in his evidence, did not give us to understand that he entertained a firm belief that this scheme would be a success. I think he told us he would very much like to see Sir John Coode responsible for this undertaking. I was more swayed by the evidence of our Chief Engineer, a man who, I have always been given to understand, came to this country with the very highest testimonials—a gentleman who was selected from amongst a great number, and who was supposed to be the most eminent man in his profession whose services it was possible to engage. And I must say that that gentleman spoke and gave his evidence with a modesty that well became him; and he also evinced a diffidence in giving an opinion contrary to that of Sir John Coode, for whom, he said, he had the very highest respect, and who, he told the Committee, was at the head of his profession. But Mr. Carruthers gave us to understand that, in giving the reasons which he did, he was under the impression that if Sir John Coode had seen the locality himself, his report would have been a very different one. Mr. Carruthers' answers were not given hurriedly, because it would be recollected that the questions were written down, and he took them home with him, and I have no doubt wrote out his answers

in a calm, deliberate, and unimpassioned manner, never forgetting a single letter he was writing in answer to the question put to him. It is not as if the questions were put hurriedly, and a man might have said a thing that he would be willing to withdraw. They were taken home, and the answers were written quietly in a room; and what was the purport of the answers? Why, Mr. Carruthers told us in the most unmistakable terms, and in as plain language as it is possible to be conveyed in, that it is entirely impracticable, in his opinion, to make a harbour between the Waitaki River and Lake Ellesmere. After hearing evidence of that kind, how could I have given my vote in a contrary direction, and have met that gentleman the next day in the street or any other place? He would have had a right to consider that I either considered him a very incompetent person for his position, or otherwise that I did not place that credit in his statements which I ought to have done. Those were the alternatives that were left to me. What could I do? Mr. Carruthers was a man who had been selected from a great many eminent engineers by our Government, in whom I have the greatest confidence. It would have been a reflection upon the Government, as well as upon that eminent engineer, if I had voted otherwise; and it would naturally have been asked, what right have the Government to keep that man in the position which he occupies at present if his action and his statements in a matter of this kind cannot be taken? For those reasons I gave my vote on this question, when it was last before the House, in the way I did; and, as the Hon. Colonel Whitmore has very truly said, the way in which votes have been given on this occasion have to my mind created bickerings and ill-feeling between those who have been on the best terms of friendship up to the present moment, and who ought to be willing to accord to others what we are willing to accord to them—namely, an unselfish and unbiassed vote on this occasion; and I say that the sooner we settle the matter, so that there may be an opportunity for this state of things to die out, the better for us all. For these reasons, I shall vote for the second reading of the Bill on this occasion.

The Hon. Mr. WATERHOUSE.—I will not enter into this question upon its general merits. I shall simply confine myself to the question now before the Council—namely, whether this Bill shall be read a third time now or to-morrow. I think it is in accordance with ordinary courtesy that when the introducer of a measure asks that the third reading shall be postponed till the following day, that that consideration should be extended to him; and I think it will not conduce to the harmony of our proceedings if we do not treat honorable members in charge of Bills with that amount of consideration. I shall therefore, irrespective of the merits of the question, vote for the amendment of the Hon. Mr. Hall, that this Bill be made an Order of the day for to-morrow.

Question put, "That the Bill be ordered to be read a third time to-morrow;" upon which a

division was called for, with the following result:—

Ayes	...	...	...	10
Noes	...	...	...	12

Majority against	...	...	...	2
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AYES.

Mr. Bonar,	Mr. Peter,
Colonel Brett,	Dr. Pollen,
Mr. Campbell,	Major Richmond, C.B.,
Mr. Hall,	Mr. Stokes,
Mr. Hart,	Mr. Waterhouse.

NOES.

Captain Baillie,	Mr. Ngata,
Mr. Edwards,	Mr. Nurse,
Captain Fraser,	Mr. Paterson,
Mr. Holmes,	Mr. Robinson,
Mr. J. Johnston,	Mr. Russell,
Mr. Lahmann,	Colonel Whitmore.

The motion was consequently negatived.

On the question "That the Bill be now read a third time,"

* The Hon. Mr. HALL.—I had hoped that I should to-morrow have had an opportunity of addressing a Council in a somewhat cooler frame of mind than at present, and that we could then discuss the question more advantageously than we can at the present time. But that is not to be, and I have been placed, by what has been properly described as a very unusual proceeding, in the position of not being able to place before the Council again the consideration of a question which appears to be one of very great importance. I shall only say that I am very sorry for it. I believe that if honorable members had had an opportunity of hearing my explanation, they would have been thoroughly satisfied that anything like an attempt on my part to surprise the Council was entirely out of the question. So far from that being the case, the very first opportunity I had of speaking upon the question I gave notice of what was intended to be done to-morrow: I proposed that the third reading should be made an Order of the day for to-morrow, and stated clearly what my object was in doing so. The unusual course, a course evincing want of consideration, has been adopted, of absolutely refusing that, not so much to myself, but to those other gentlemen who are more immediately in charge of the large interests affected by this Bill. I do not suppose that the Hon. Mr. Robinson means for a moment to say that the vote which he gave was called forth by any reflection from myself.

The Hon. Mr. ROBINSON.—None whatever.

* The Hon. Mr. HALL.—The speech which he addressed to the Council, and the excitement which has prevailed, is evidently due to circumstances altogether outside of this Council. But I can only say that if the honorable gentleman was desirous, as I am sure we all are, that any unpleasantness should pass away—if that was to be the case, then, I think, it was exceedingly unfortunate that a course has been adopted which, instead of smoothing matters over, is likely very much to aggravate them.

* The Hon. Colonel WHITMORE.—If the honorable gentleman had taken a different course—if he had come to us and said he wished to throw additional light on the matter—we should have been happy to meet him. It has been in our minds that he was seeking to prolong this discussion unnecessarily, and to place us in some way at a disadvantage. That has induced us to take the course we have done. The Hon. Mr. Robinson has said it has caused him a great deal of personal regret. I can only say that there has never been anything that has occurred in this Council during the fourteen years that I have been a member of it that has given me so much pain; and I have tried, in every possible way, to accommodate this matter before it came into the Council. I made suggestions, and tried every possible way that would have enabled me to have carried out the views of the promoters without sacrificing what I consider my conscientious duty. Now the matter has gone on until it has come to this. It has been apparent to or at least supposed by us, that in some way we should be at a disadvantage if the matter was not brought on to-night, and we have moved for the third reading; and sorry as I am that there should be any unpleasant feelings on the honorable gentleman's part, still I must adhere to my motion, and trust that the unpleasant associations connected with this matter may soon die out.

* The Hon. Mr. HALL.—As a matter of justice to myself, I would ask the honorable and gallant Colonel to say what there was either in speech or act on my part which gave any colour to the supposition that I in any way intended to take any unfair advantage, or take any surprise on the gentlemen who voted on the other side. What did I say or do which gave any reason or colour to the impression that I intended to do anything of the kind?

The Hon. Colonel WHITMORE.—It is very evident what you gave colour to—

The Hon. Mr. HALL.—What did I say or do?

* The Hon. Colonel WHITMORE.—The honorable gentleman, unexpectedly to everybody, placed in the hands of the Clerk of the Council a motion which I presume would have been moved anticipatory of any action we might have taken at any period of the night when the Public Works Bill had been disposed of. He postponed the matter when he knew perfectly well that all the other Harbour Board Bills were read a third time. As soon as they were released from Committee, I had reason for believing, and I still think, the honorable gentleman had prepared gentlemen who were of his way of thinking, for the action he was about to take.

* The Hon. Mr. HALL.—Sir, I had no opportunity whatever of communicating with the honorable gentleman. I was asked during the debate on the Hokitika Harbour Board Bill, by the gentleman who had placed me in charge of the Timaru Bill, to make another effort to get the Council to reconsider it, and I believe it was within half an hour of that time that the honorable gentleman opposite spoke to me himself upon the subject. I should have brought the

matter forward at the very earliest time it was possible to do so; but I could not do so when the Council was in Committee on another Bill.

The Hon. Mr. ROBINSON.—Sir, I merely wish to say a few words by way of personal explanation. I hope the honorable gentleman will permit me to say that no remarks he has made this evening make any difference in my sentiments. I would not like to trust myself to say much now; but I think that the sooner this matter is settled the better. I do not think any change would be made in our feelings by any communication we might have with the honorable gentleman.

* The Hon. Mr. BONAR.—Sir, as I have been referred to in connection with this matter, I ought perhaps to say that I have had no communication with the Hon. Mr. Hall before the Council met. The first I heard of the matter was outside this Chamber—in the smoking-room in fact; and when I came into the Chamber I asked Mr. Hall what his intentions were with reference to it, and he then told me, exactly in the same words, what he has told the honorable and gallant gentleman a few moments afterwards.

The Hon. the SPEAKER.—I will say this: That while the Council was in Committee on some Bill, the Hon. Mr. Hall told me it was his intention to act as he has done—that is to say, that he would move that the third reading of the Bill be postponed until to-morrow, at which I expressed my regret.

Bill read a third time.

OAMARU HARBOUR BOARD BILL.

This Bill was considered in Committee.

New clause.—Constitution of Harbour Board.

The Hon. Mr. CAMPBELL moved, That the words "eighteen hundred and seventy-seven" be omitted, with the view of inserting the words "eighteen hundred and eighty."

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	13
Majority against	...	...	...	...	2

AYES.

Captain Baillie,	Dr. Pollen,
Captain Fraser,	Mr. Robinson,
Mr. Holmes,	Mr. Russell,
Mr. Nurse,	Mr. Scotland,
Mr. Paterson,	Mr. Waterhouse.
Mr. Pharasyn,	

NOES.

Mr. Bonar,	Mr. Mantell,
Mr. Campbell,	Mr. Ngatata,
Mr. Edwards,	Mr. Peter,
Mr. Hall,	Mr. Rhodes,
Mr. J. Johnston,	Sir J. L. O. Richardson,
Lieut.-Colonel Kenny,	Mr. Stokes.
Mr. Lahmann,	

The motion was consequently agreed to.

The Council adjourned at a quarter past twelve o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 26th October, 1876.

First Readings—Second Readings—Third Readings—Bills Discharged—Thames Miners' Rights—Canterbury Railway Property—Lawrence Post Office—House Committee—Abolition Permissive Bill—Native Grantees Bill—Triennial Parliaments Bill—Civil List Bill—New Zealand Consolidated Stock Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Sartoris, Downe, and other Claims Bill, the Gore-Elbow Railway Bill.

SECOND READINGS.

The Milton Athenæum Bill, the Botanic Garden Leasing Bill.

THIRD READINGS.

The Milton Athenæum Bill, the Otago Educational Reserves Bill, the Wellington Corporate Lands Bill.

BILLS DISCHARGED.

The Wellington Hospital Loan Bill, the Disqualification No. 2 Bill, the Dunedin Municipal Bill, the New Zealand University Bill.

THAMES MINERS' RIGHTS.

Mr. NAHE asked the Premier, If the Government will give effect to the recommendation of the Native Affairs Committee on the petition of Meha te Moananui and others, referred to the Government on the 20th September? Certain Natives at the Thames sent in a petition under a misapprehension to the House with respect to the miners' rights, and therefore it was that the Committee suggested that the Government offices at the Thames, where the miners' rights were to be dealt with, should be open to the Maoris, so that they might have facilities for examining the accounts.

Major ATKINSON replied that the Government approved of the recommendation of the Committee, and would issue instructions accordingly.

CANTERBURY RAILWAY PROPERTY.

Mr. ROLLESTON asked the Government, What provision they have made for payments for railway works and buildings in the Province of Canterbury, after the railways become colonial property? He would like to make the question a little plainer than it appeared on the paper by inserting the words "now in course of construction" after the word "Canterbury." The object of his question was to ascertain what course the Government proposed to take with regard to the railway buildings, workshops, stations, sidings, and other railway works as soon as they became the property of the colony. The question was asked upon the assumption that when these became the property of the colony all expenditure from provincial funds—that was to say, from

funds that were in hand and belonging to the province at the present time—would naturally cease. The province could not be expected to continue making payments from provincial funds after these railways became colonial property. He was not raising any debatable matter; but the question was asked on the assumption that such payments would cease as the railways became colonial property.

Mr. RICHARDSON replied that provision was made in the estimates of the Provincial Government of Canterbury for these works. The works would be carried on in the same direction as at present to the 31st December next, and then whatever contracts remained unfinished would be carried on by the General Government to their completion. In the meantime, the accounts of the receipts and expenditure of the railways would be kept precisely in the same way as they were at present.

LAWRENCE POST OFFICE.

Mr. J. C. BROWN asked the Postmaster-General, When it is intended to occupy the late Court House at Lawrence as a post office? He would inform the Hon. the Postmaster-General that he asked a similar question on this subject in September, 1875, and the answer he received from the then Acting Postmaster-General, Mr. Reynolds, was that "the matter had been under the consideration of the Government, but no decision could be come to until the Inspector of Post Offices, who was at present in the north of this island, returned to Wellington." He believed that gentleman returned to Wellington in one or two weeks afterwards. He might state that the Court House was now available for occupation. A new Court House had been erected, and the contractor had given up the building fifteen months ago. Apparently there was no one to take possession of a building which had been erected at a cost of £3,000. The present post office had been in a dilapidated and wretched state for many years. It was nothing more than a patchwork shed, and had been much complained of by the different postmasters who had been there. It was in such a wretched state as to cause a great deal of sickness among the occupants. He hoped the honorable gentleman would give a satisfactory reply.

Mr. WHITAKER replied that, as soon as the Resident Magistrate's Court was removed to the new building, the old Court House would be fitted up as a post office. There had been some delay in the matter, which was being carried out by the Provincial Government; but the cause of that delay was now removed, and the arrangement would be carried out as soon as possible. When the new Resident Magistrate's Court was occupied by the Resident Magistrate, the present Court House would be available for the Postmaster.

HOUSE COMMITTEE.

Mr. FITZROY asked, If the Government will, during the recess, give effect to the report of the Joint House Committee?

Mr. RICHARDSON said the Government would be prepared to give effect to the report of

the Committee as far as it was possible with the funds at their disposal.

ABOLITION PERMISSIVE BILL.

Sir G. GREY.—Sir, I rise to move the second reading of a Bill entitled "An Act to make Provincial Abolition permissive in each Province." The object of this Bill is to maintain for the inhabitants of New Zealand privileges which Great Britain has afforded to her possessions in no other part of the world. In so far as I am aware, the universal rule of the Empire has been that whenever a privilege bestowed by charter, or by an Act of Parliament, or by a Legislature, is about to be taken away, such charter or privilege was never taken away until the Legislature interested consented by its own vote that that might be done. In the case of the Abolition Bill introduced into this Assembly, the Government have decided not to allow the Provincial Legislatures to exercise that privilege and immemorial usage. I understand they are about determined to take away from the provinces privileges which some of them are unwilling to part with. They will not allow the fact of their unwillingness to part with such privileges to be ascertained, by permitting an appeal to be made to the constituencies of the several provinces and representatives to be returned to express an opinion upon that point. Now, Sir, this is a great grievance, and one which I trust this House will not sanction, and I may say that it forms part of a plan which has been deliberately pursued for a long series of years—I mean for a period of upwards of ten years certainly—to deprive the inhabitants of New Zealand of rights which secured to them the whole of their liberties, such as no other portion of the Empire has ever hitherto enjoyed. It has been part of a plan deliberately pursued to give an example or a proof to the rest of the Empire that British subjects, if endowed with such privileges as were bestowed upon them in New Zealand, did not value them, but were ready to part with them; and undoubtedly, Sir, the course pursued here will be used as an argument in other parts of the Empire to prevent similar privileges being bestowed upon the inhabitants of parts of the British Islands which they are most desirous to obtain. Further, I maintain, and I am able to show, that an attempt has for a considerable time been made in New Zealand to set up a spurious aristocracy, to endow certain favoured people with large tracts of territory, sometimes in a manner contrary to the law, and thus allow small portions of the inhabitants to be elevated in rank and wealth, whilst the mass of the community are to be sunk to a state such as is occupied by the poorer populations in Europe, or to be reduced to that state to avoid which was the main object that caused many of us to seek these islands—to be deprived of those rights and privileges which would preserve some equality of rank to the inhabitants of New Zealand for all time—that they are to be deprived of that which, when men value anything at all, they ought to value above everything else that this world can give them. Now, what I have said can-

not be denied—cannot be denied with reason, cannot be disproved by argument. In a few words I can show that what I have said is absolutely correct. Permit me to recall to the memory of this House that to secure the destruction of the liberties of New Zealand, the British Government were applied to in ambiguous terms to have an Act of Parliament passed for one declared object, which was afterwards to be used for totally different purposes, and at the very end almost of a session of the Parliament of Great Britain an application was made to have an Act passed solely to produce certain effects in relation to the Province of Westland, or rather to that part of the colony which is now the Province of Westland; and it was so managed that that Act was sent Home from herein such a way as to reach Great Britain a very few days before the session of Parliament terminated there; and under pressure from this country the Secretary of State was induced to hurry that Act through both Houses of Parliament, without explaining to the members of either branch of the Legislature at Home what it was intended to accomplish. Not only was that done with reference to Great Britain, but the fact of this application having been made, and the intention that application embodied, were carefully concealed from the General Assembly of New Zealand and from the inhabitants of this colony at large. And it is under an Act so obtained, by means of a most improper nature, that an effort has been made to destroy the freedom of New Zealand in the manner which we have all witnessed during this and last session. Not only was that done, but for many years an attempt has been made, I may say, to degrade the mass of the colonists of New Zealand, and to place them in a position which rendered it very difficult for them afterwards to regain those liberties which they ought to have. It is one party, Sir, one party, composed of a very few individuals, who throughout have systematically followed this course. Let me recall to the minds of the Assembly that such was the desire unfairly to oppress the people of this country, that in 1862 an effort was made to secure, by a resolution of this House, that for ten years no member of the New Zealand Bar should be placed upon the Bench of New Zealand; that the whole of the legal profession in this country were to be placed under the ban of exclusion; that every man who came to this country to join the Bar of New Zealand should know that he forfeited all chance of promotion for that period of time; and this party hoped in that way, amongst others, to keep in their own hands all power in this country. They went still further. Such was their desire to maintain power of that kind that an effort was subsequently made in the same year to secure that those Judges, whom they had as friends in this country, should be allowed to occupy seats in the Legislature of New Zealand in a manner which is not allowed at Home, or in any other British community. Following out that plan which I have stated, a Civil Service of an unusual kind was established in this country, and established, I may say, upon the recommendation of a Commission not fairly or properly

constituted. That having been done, a Civil Service of that nature having been established, and there being also a nominated Legislative Council in the colony, for the first time, as far as my knowledge goes, a system was at once introduced of selecting Civil servants, subservient to the Government of the day, who had never been chosen by any constituency, who represented no one, and placing them in the Upper House, and then immediately placing them upon the Ministerial benches—a practice I believe unknown in any other community of the British race, one of which certainly I have never heard, one which has produced most disastrous results in this colony, and one which should never have been allowed to spring up. Then, not satisfied with that, they attempted, within the limits of the Colony of New Zealand, to set up a spurious aristocracy, not allowed by law; so that even in the case of this House we have intruded amongst us, the representatives of the people, persons with the title of honorable attached to their name, under instructions issued from Home, which are positively illegal. The law of Great Britain has laid down that the Crown is the fountain of honor; but it has gone a degree further, and said that, although the Crown is the fountain of honor, it can only bestow such honors as are known to the Empire, but can create no new honor whatever; and that law is rigidly observed in the British Islands. Sir, an attempt was made a few years since by the Ministry in Great Britain to establish another Order within the British Islands; and the Queen was actually induced, upon the recommendation of her Responsible Advisers, to issue letters patent by which was created a life peer, that is, a person who held rank in the British House of Peers for life—a rank unknown to the Constitution. The moment that was done both branches of the Legislature resisted such a proceeding, and insisted upon those letters patent being revoked; and when it was argued that the Queen was the fountain of honor, and could do that which seemed good to Her Majesty, the answer was, "True, but only the fountain of honor to dispense those honors allowed by constitutional law." Then reply was made, "Such is not the case. The Stuarts created new titles; they created the Order of Baronets;" and the reply given, was "True, the Stuarts did that; but they did many other wrong things, and they lost the throne and power in England in consequence; and that was one of the very causes which led to their losing their position in the Empire." Then, Sir, the reply was made, "After the Revolution and Restoration there was a new order of things, but the Crown was not deprived of that particular right of creating new orders which the Stuarts had exercised. No law was passed to take it from the Crown." To that, reply was made, "True, no such law was made, nor were any laws made which took from the Crown power upon any kindred subjects; but the Crown has never ventured to exercise such powers since the Great Revolution took place." Then, Sir, an appeal was made to the sympathy of the Legislature at Home, and they were asked, would they force the Queen to

revoke the letters patent which Her Majesty had been pleased to issue? And they determined that in a case of that kind such a thing must be done, and the letters patent were revoked. Our rights in this colony in these respects exceed the rights of the inhabitants of the British Islands, because in this colony we have a Constitution bestowed upon us by Act of Parliament; and by a well-known principle of law, affirmed and re-affirmed over and over again by the Judicial Committee of the Privy Council, the Queen and Parliament having bestowed such a Constitution upon us, Her Majesty retains in these islands no power beyond the limits of that Constitution; all other powers were abandoned when that Constitution was given. Therefore, Sir, the Queen can constitute no new rank whatever in New Zealand, no new rank in society here, without the permission of the General Assembly of New Zealand; such new ranks can only be created by Act agreed to by the Queen herself, and by her subjects in New Zealand. Against our wills, against our consent, no such order of aristocracy can be created within the limits of this country. Yet in defiance of that well-known principle of law, upon the recommendation of some of those very gentlemen who are luxuriating in these titles, the Queen has been advised to issue, and has issued authority, by which a new rank is created in New Zealand, a rank contemptible in itself, petty in its bearing, which no high-minded man would bear, giving the right to bear the title of "Honorable" for life within the limits of New Zealand; but the moment the holder leaves this colony he sinks to be nothing—no longer honorable, no longer possessing any title, once beyond the shores of this country. It being given surreptitiously, unlawfully, and against the rights of all of us, it is a title which, within the limits of New Zealand, none of us ought to recognize, and which this House ought to insist upon being struck off the rolls of the House of Representatives. Well, Sir, this is a part of a plan by which an attempt has been made gradually to rob us of those institutions which we should most prize. Sir, I say again, a plan has been followed to bestow great estates—I must say unlawfully also—upon members of this House or of the upper branch of the Legislature, or upon the friends of the Government, whom they are determined to try to raise in wealth and authority. We have seen members of the Civil Service placed on the Ministerial benches, either in this or the other branch of the Legislature, entering into secret compacts to bestow large tracts of land upon those to whom they were indebted for their position. The knowledge that such was the case has been kept back from the people of New Zealand for periods of time amounting to two years, until a convenient opportunity should present itself to issue an Order in Council to legalize that which was illegally done years before. Then we have seen efforts made to use the Legislature of this country to secure pastoral licenses for long periods of time to favoured individuals also members of this or the other branch of the Legislature. For many years we have seen these efforts made to debase the in-

habitants of New Zealand at large by raising above them a nominally spurious rank. And for all of these proceedings there was no necessity whatever. If any inhabitant of New Zealand is worthy of honor or praise, or is worthy of taking a high place among the subjects of Her Majesty, there are high Imperial honors which could have been given to him—honors which he could have borne, not only within the limits of our own colony, but in every part of England, the British Empire, and elsewhere. Such honors could have been conferred without casting upon us the shame we now have to bear. Not only has that been done, but a last effort has been made to centre in the great Civil Service established here in Wellington an absolute power of dominion over every other part of these islands. And this has been done unfairly, against justice, and—I hardly like to use the word, but I must say it—with deceit to the Parliament and Crown of Great Britain. First of all there are three branches in our Legislature—the Governor, the Legislative Council, and the House of Representatives. Over two of these we have no control whatever—the inhabitants of New Zealand can exercise no influence upon them. We are absolutely powerless in reference to them. These two branches are nominated by the Crown or by the party in power in New Zealand. To secure their end and object the Government of this country have provided that an unfair representation should exist within the limits of New Zealand. They have provided that the representatives returned to this House shall not represent the inhabitants of New Zealand, but shall represent small districts, by which the Government can compel the inhabitants of the great provinces to bow to the will of an insignificant population, who are entirely under the control of the Government of the day. The rotten-borough system of England, which has been swept away from that country, has been restored here in a more aggravated form for the express purpose of destroying the institutions granted to us by Great Britain. That end appears at present to have been gained—not that I believe that that gain will last—but that end appears to have been accomplished; and it was with sorrow I heard the Premier a few days ago, laughing with scorn, say, "Let those laugh who win!" Win what? Place and power! That is what they win; but how? By bribing a loan agent with an office in England, by providing employment for a man who placed them upon those benches, by seeking to get great emolument for him—and having obtained power by such means, they sit and smile and say, "Let those laugh who win!" Sir, to win may be to lose. It often happens that men who mount to power by means which honorable men would spurn and despise, gain little in the end. Men who say, "We laugh because we have won," may find that they have sustained an enormous loss of reputation, a loss of all that men should value; a loss of the liberties of the country which they should preserve; a loss of respect for the statesmen of New Zealand, which all the Empire at one time felt. What is won when we see, as we have lately seen, the late Premier abandoning

his position, receiving gifts of money, publicly collected, and leaving the colony? Such a sight has never before been seen, a sight so melancholy as to fill with sadness the heart of any true patriot. And yet gentlemen who have had a hand in all this say, "Let those laugh who win!" Win what, indeed? Why, Sir, it will win shame, disgrace, and infamy from the future historian. The prayer contained in this Act of which I now move the second reading is that we of the provinces which are adverse to abolition shall be allowed to exercise the privilege which the Empire has given to all subjects to decide whether we will relinquish the advantages bestowed upon us, not by this House but by the British Crown and Parliament, not by this Government, who are now destroying them, having obtained influence by raising and squandering millions of money, by purchasing support in a way in which no other Government has ever purchased it. In regard to that support, let me say that, when I think of all the ways in which it has been obtained, my mind is filled with sorrow. Only the other night it came suddenly to our knowledge that one of the principal supporters of the Government in the late Parliament, and a violent supporter of this Abolition measure, received a valuable appointment after the Parliament closed, and got an appointment for his brother also, who was taken from the command of a vessel, lacking all knowledge of the law, and placed on the judicial bench to administer justice. When I heard that such things had been done, and that the so-called Minister of Justice could be a party to such a transaction, I felt that the inhabitants of New Zealand might well feel ashamed of what had taken place. Sir, I think men who have done such things should also at length do such tardy justice as is in their power. Let them, therefore, by passing this Act, leave to the inhabitants of New Zealand the power to decide under what form of government they will live for the future. Let them say to their fellow-countrymen, "We will attempt to force nothing upon you; we feel that you ought to be dealt with as men, as reasonable beings. You are as capable of forming a judgment upon these things as we are; and we will give you the right to decide, through your representatives, whether you will abandon the privileges which the British Parliament gave you, and under what form of constitution you will live for the future." Let the Government say that. Let them allay the feeling of distrust, discontent, and dissatisfaction which is fermenting in the various parts of the colony. Let them do that of which they will feel proud hereafter. Let them do that which in their own hearts they know they ought to do, and the doing of which will turn the hearts of the community towards them, and make them ready to help the Government in their task. It is not much they are asked to do. A delay of one or two months will settle the whole question, and they may depend upon it that if they do not agree to this course the result I predict will take place. The people in various parts of the colony will insist upon being separated from the central rule of Wellington. They may rely upon it that the British Parliament,

having no desire to coerce the people of this country or to act contrary to their wishes, will, if it is satisfied that the main part of the population desire it, assent to separation taking place. Not only will that be done, but the rectification of our finances will take place, and an allowance will be made to the communities that wish to separate for the enormous loss they have sustained in reference to the Land Fund, or through their having to sustain the burden of loans which ought not to fall upon them, and from which they have derived no commensurate advantage. The people will not sit down contentedly under a system forced upon them against their will. If the Government refuse to accept the measure I hold in my hand, which enables them to do tardy justice, they will create a series of discontented movements to secure separation, a fair adjustment of the debt, a fair apportionment of the revenues of the country; and these movements will never cease until those ends are gained. I ask them to avoid bringing upon us difficulties of that kind. I ask them at once to agree to that to which they must ultimately come. I ask them to agree to that for which so large a minority of this House has already voted during the present session. I ask them well to consider the course on which they are embarked, if they intend to carry out their plans. I ask them to take all means for avoiding that stormy sea of discontent, trouble, and agitation which must prevail for years to come. I ask them to steer their bark to a secure haven which now lies open to them. I ask the House to support me in this last tardy appeal for justice—an appeal which I have put off to the last moment, in the hope that at length, before this House separated, it would consent to the humble petition which I venture, as Superintendent of a great province and representative of a great constituency, to place before it. Sir, I move the second reading of this Bill.

Mr. MANDERS.—Sir, I should like to answer the remarks made by the honorable member for the Thames. I think, of all the speeches that have ever been delivered in a deliberative Assembly—which should be delivered in a calm, dispassionate, and moderate manner—the speech of the honorable member for the Thames has been the most exciting and inflammatory one that I have ever heard of. The speech delivered by that honorable gentleman, for whom I entertain the highest respect, is not worthy of the great reputation he has made, and it was not worthy of him that he should come down here and move the second reading of this Bill in the manner he has done. This speech would indicate to me, as one of his fellow-colonists—for I suppose all men are alike when they meet together to discuss great principles, and when they are sent here to promote the welfare and union of the colony—that the sentiment very clearly laid down by the honorable gentleman was open rebellion, although couched in the term "discontent." I am as rough a working man as any member of this House. It has been my lot to gain my bread by very hard work. I have been a fencer, a sawyer, a miner; but I have, at all events, been able to take that position in life which I have aspired to, and I can-

not allow the honorable member for the Thames, however high his position may be in other respects, to use to me—common backwoodsmen though I be—the expression that discontented districts will rise against the Government. I say the country is not disloyal; that the people will not exhibit their discontent in the form indicated; that, indeed, the country is loyal, especially the inland districts. I think the honorable member has overstepped the lines of debate that should be used in this House, and I trust that he will withdraw the expressions he has used, or that the Ministry, upholding the honor of the colony, as they are bound to do, will not reply to those remarks. I think if they do, they will be attaching more importance to the speech than is due to it. To my mind, it is an insult to the whole community to infer that they would be guilty of that discontent which, according to the language of the honorable member, means revolution.

Major ATKINSON.—I am not going to trouble the House with any lengthened speech on the present occasion. I would merely say, as the House must already be very well aware, that we cannot consent to the passing of this Bill in any form. The arguments of the honorable member, so far as they related to the subject-matter—and I was sorry to see that he travelled so wide of the mark—have been answered over and over again in this House, and therefore it is quite unnecessary for me to go into the matter now. I would, however, point out to the honorable gentleman that the whole action in this matter has not been the action of this Government or that Government, but has been the action of the Assemblies of the people of New Zealand. The honorable gentleman appears to think that a certain number of persons, whom he calls "they," have existed in New Zealand for twenty years, and have been working for a particular object. If the honorable gentleman will examine the work which "they," as he calls them, have performed, he will find that it has been the work of the Parliament, carried out with the approval of the people of New Zealand. I confess that I am proud to think that I have been able to take a part in that work. I believe the action which the honorable gentleman has specially reprobated is, that this colony went to the Parliament of England to obtain extended powers, not for the Governor or the Government, but for this Assembly. To my mind, that was a most wise and patriotic action. I believe you cannot leave the people of New Zealand too free. I believe they can shape a Constitution for themselves far better than any outside power can; and I am quite satisfied the people of New Zealand will mould their Constitution to a satisfactory result. In my opinion, the removal of the provinces was the first necessity in this direction. Until they were removed, there was no possibility of the people being fairly heard. We shall now have local bodies all over the country, and everywhere the people will be able to make their voices heard in this Assembly. So far, I say, the action throughout has not been to deprive the people of one iota of the rights and privileges they possess, but to leave them far more untrammelled than they have

been in the past. I hope the Assembly will proceed steadily to carry out abolition, and then the people will soon see that power will be really placed in their hands, and that they will be able to have their wishes attended to as they have never yet been. I trust this Bill will be rejected.

Mr. HODGKINSON.—It is not my intention to address the House at any length upon this question, more especially as I have already spoken upon the illegality of the Abolition Act. I shall not dwell further upon that aspect of the question, but will merely remark that, since I spoke, a despatch has come out from the Secretary of State saying that in the opinion of a certain law officer the Abolition Act was not *ultra vires*. I beg to say that that despatch is not of the slightest importance, and that the opinion of that lawyer does not make the Abolition Act a bit more legal than it was before—especially when we know that the Ministry advised the Governor to send Home his despatch covering the Bill in such a way that he was evidently acting as a special pleader. I intend to speak very briefly, not with respect to the illegality of the Act or the policy of Abolition, but rather with reference to the immorality of the course pursued by the promoters of the Act from the very commencement up to the present time. Commencing with the initiation of this movement, I have shown that some years ago, when it became necessary to obtain an Act of the Imperial Parliament validating the County of Westland Act, the Colonial Ministry then in office, of which I believe the honorable member for Timaru was the head, very wrongly took upon themselves to obtain surreptitiously increased powers to deal with the provinces. That may not be called an immoral act by some, but it is, at all events, true that they obtained these increased powers in an underhand way. But that is only a small part of the matter. The same men who obtained those increased powers now contend that those powers enable the Assembly of New Zealand to sweep away the whole Constitution of New Zealand. If they can prove that position, they then convict themselves of having obtained these powers in a fraudulent manner from the Imperial Parliament, because they obtained them without making the Imperial Parliament cognizant of their desire. To show that such was the case, I will read a few words used by the head of the then Ministry. Mr. Stafford wrote,—

"Any Act passed with that object (the validation of the County of Westland Act) should also confer on the New Zealand Legislature full powers to provide in all cases for the government of every province, the special circumstances of which may require from time to time changes in the form of government."

The honorable member must be aware that the British Parliament would never understand from that that he was asking for power to abolish all the provinces. I maintain that it was not moral or honorable to obtain such an Act in such a manner. He should, in common honesty, have told the Imperial Government what he wanted; for I repeat that the Imperial Parliament had not

the slightest idea of what was asked for. Mr. Hall spoke to the same effect, saying,—

"A Bill which it is proposed to introduce into the Imperial Parliament, for the purpose of removing doubts as to the validity of the Act of the General Assembly entitled 'The County of Westland Act, 1867,' and of giving further powers to the General Assembly to enable it to make any alterations in the existing provincial institutions which circumstances may render necessary."

That is altogether a different thing from applying for full powers to repeal the Constitution Act. I can prove it also by the words of the Secretary of State for the Colonies, who says that it was an Act "for the purpose of validating the County of Westland Act, and also for making alterations in the provincial system of New Zealand, by giving further power to the General Assembly to meet by legislation requirements then existing, or which might be expected to arise." It is quite clear from that that the Secretary of State had no idea that he was asking the Imperial Parliament to give powers to this Assembly to repeal clauses 3, 17, and 18 of the Constitution Act, which established provinces. In commercial concerns, when a person obtains money or goods by false pretences, it is called swindling; but I will leave the Ministry, with due regard to euphemism, to invent another word to describe this nefarious and dishonest transaction. The next stage in the proceeding was Mr. Vogel's alliance with the honorable member for Timaru. We know that, when Mr. Vogel felt his tenure of office uncertain, he brought down the resolutions for abolishing the provinces in the North Island. Now, to repeat an expression already used by an honorable member in this House, the honorable gentleman threw himself into the arms of the honorable member for Timaru, and that honorable member clasped him to his manly breast. I think, when the honorable member for Timaru did that, he was forgetful of a proverb written three thousand years ago, which states that there are certain substances which cannot be taken into the bosom without defilement. I can only designate it as an unholy alliance between a conspirator and a renegade. I am not so much objecting to a change of opinion, because a change of opinion in politics may be sincere. But we must judge of the surrounding circumstances and of the effects. If these changes lead to an improvement of life, especially if they lead to self-denial and to losses, then we may conclude that they are sincere. But if they lead to an office of emolument, as in this case, and to the sending of the late Premier Home at the expense of this colony to fill an appointment which is not at all necessary, then I say that they are immoral. I have no hesitation in using that hard word. This is not a time or occasion to mince matters. The next step in the immoral proceedings is the proposal that abolition should only affect the North Island, and the next session the bringing down of a measure for the total abolition of the provinces throughout the whole of New Zealand. The next stage in this affair is that this question was not submitted to the constituencies of each province as it ought to

have been. I am aware that a certain despatch has been sent Home. In speaking of the Governor of the colony, I always speak of him with the utmost respect; but when I look at him as the representative of the Crown, I find that my vision is obstructed. I cannot see the representative of the Crown: on the contrary, I see a political partisan striving to deprive the people of this colony of their rights and privileges. The writer of this despatch has not only shown a partisan feeling, but he has evinced a great ignorance of constitutional government. I will refer to the part of the despatch in which he argues that it is not right to refer the question to the provinces, but that it must be referred to the General Assembly. He writes,—

"That the proposed change in the Constitution of the colony is a matter of general policy is a point which admits of no question; and to suppose that the legislation of the General Assembly, on a matter of this importance, should be subservient to the will of one or more of these local Councils, appears to me to be utterly untenable."

Now, any person having the least knowledge of the science of politics must know that there is no instance whatever, in the history of any country where a federal system of government obtains, of the Federal Assembly having the power to abolish any member of the Federation. To show what some of our public men in England think on the subject, I may read an extract from the speech of the Duke of Newcastle, in the House of Lords, *re* New Zealand Bill, 25 and 26 Victoria:—"Unless pressing exigencies arose, or the local Legislatures themselves recommended such a course, he should propose no measure for the amendment of the existing Constitution." The writer of this despatch argues that they ought not to be consulted at all, while their very existence is at stake. A great ignorance of constitutional usages and constitutional history is shown in this despatch. But even if we accept the theory of the Centralists, and say that it was proper that the question should be referred to this Assembly only, then it has acted very improperly, because in all such cases, where even only a constitutional amendment is made, it is always the custom that there should be a majority of two-thirds obtained in favour of it. There was not a majority of two-thirds in this Assembly pledged to support the abolition of the provinces. This is another question which should be considered. Then another instance of political immorality, I contend, was the passing of the Abolition Bill in the last session of a moribund Parliament—not only a moribund Parliament, but a Vogelized Parliament, and, as every one knows, the very worst Parliament that ever existed in New Zealand. "Vogelism" is a word used now to designate extravagant and reckless financial operations, and also political corruption. I think I have shown that this Abolition matter, from beginning to end, has been conducted in contravention of all political morality, of all ordinary justice, and of all moral right. I say that many of the honorable members of this House were inveigled into a false position by the statements put forth by Ministers.

They have been under the impression that a majority of this House had authority to abolish the provinces; but now that they are made acquainted with all the dishonesty that has been practised from beginning to end in this matter, I put it to them, and I say that no honest man, no conscientious man or honorable man, can refuse to vote for this Bill introduced by the honorable member for the Thames, if he has any due regard for his character. I say, if they refuse to vote for this Bill, they are acting in a manner injurious to their character. I may point out the serious results which must follow from the unconstitutional and unjust attempt made to deprive the people of two of the greatest provinces in both islands of their rights. I say the attempt will be resisted by the people. It does not look well to see the Government putting up one of their own supporters to speak against the Bill—one who, everybody knows, has violated the pledges he gave to his constituents on the hustings. I put it to the members of this House, for the sake of the peace and unity of the colony, to pause before they persist in such a course as they have been pursuing, and allow this Bill to pass, as it is a fair, equitable, and honorable solution of the question, and will enable them to retreat with dignity from the false position into which I believe some of them have been inveigled through the action of the Ministry.

Mr. TOLE.—I desire to make one or two observations upon one point, which is the essential principle of this Bill, before it goes to the vote. I need hardly say that I shall support it, and I hope the majority of this House will do the same. It must be evident that the mind of the Government, so far as abolition is concerned, is not clear; and I am glad that the consideration of this Bill has been postponed until this stage of the session, because it will enable the Government to retrieve in some measure their reputation, which I am afraid has been tarnished by the blind and onward course they are pursuing. It will enable them to come to a constitutional compromise. It will show a laudable wisdom on their part to adopt the same course—which could be done with greater reason—in relation to abolition, as they did in respect to the County system, namely, make it permissive. It is very discouraging to speak on this subject, seeing the little interest that is taken in it by the Government and their supporters. They seem resolved to one course, and will not turn to either the right or the left, to listen to any reasons or arguments on the subject. Probably nothing new can be said on the question; but I think it is the duty of every one who has the good of the country at heart, or who regards the welfare of the people who are to come after us, to warn the Government of the evils which must naturally follow from the breaking up of one Constitution and the substitution of another without the consent of the people. I ask the Government, therefore, to consider these two or three points: First, that the Abolition Bill was passed during the last session of an expiring Parliament: not only that, but of a Parliament that did not represent the people. This is shown in many ways, and I believe the Parliament even now does not

represent the people—that is, in accordance with the Constitution Act. The 41st section of the Constitution Act declares that “in determining the number and extent of such electoral districts, and the number of members to be elected for each district, regard shall be had to the number of electors within the same, so that the number of members to be assigned to any one district may bear to the whole number of the members of the House of Representatives, as nearly as may be, the same proportion as the number of electors within such district shall bear to the whole number of electors in New Zealand.” This would give, on an average, one member to every 700 or 800 electors; and there are many members in this House representing much smaller constituencies. If that principle in the Constitution Act were carried out, Hawke's Bay and Taranaki would not be in the position they are now, to vote away the Constitution. There are too many representatives for Taranaki and Hawke's Bay, as compared with the representation of the rest of the colony. The next point I would ask the Government to consider at this stage, is the form of government they are setting up instead of the system they are abolishing. They are simply establishing a strong central Government and a mock County system. All the constitutional measures they have brought down this session tend to build up one strong system of centralization. If that be so, the welfare of the people will not be conserved, good government will not be maintained, and effective administration will not be obtained; there will be bad legislation, and it will not result in the welfare and happiness of the people, which is the highest aim of good government. Then, Sir, there is also another point: Even during this session, meetings, representing more than one-half the whole population, both in the north and south of the Colony of New Zealand, have unmistakably affirmed their dissent from the enactment of this Abolition Bill; and, moreover, taking population as a basis, I believe that the members in this House who are opposed to abolition represent the majority of the people. At the same time, it is alleged by the Government that the matter has been discussed; but really it has not. The whole of this question turns upon the consent of the local Legislatures. There is no clearer maxim in constitutional law than that the consent of the local Legislatures should be taken. It is as clear as the trite constitutional maxim that “*Necessitas quod cogit, defendit*,” which probably expresses also future warning. Such a consent is universally acknowledged by all really sound statesmen. If we turn to the protests made in the House of Lords upon the question of the union of Canada in 1840, we shall find that Lord Brougham protested in these terms:—

“Because the imposed union is about to be effected without the consent of either province having been obtained by any proceeding upon which the least reliance can be placed, and at a moment when the temporary suspension of the Parliamentary Constitution in the more important of the two provinces made it impossible to consult the representatives of the people.”

In exactly the same terms the Earl of Gosford and the Duke of Wellington spoke; and Lord Ellenborough, after protesting in similar words, concluded by saying it was—

“—inconsistent with prudence to take a step which cannot be recalled, . . . and hastily to adopt a measure of which the proposers do not pretend to see the working, and which its opponents deem to tend directly to discontent and injustice.”

I would ask the Government to consider expressions of the wisdom of men of that kind. Coming later down, to 1867, we find that John Bright, one of the greatest thinkers of the day, and who for forty years of his life has been engaged in the government of the people, and who is noted for his candour and sincerity, spoke in this way in reference to the proposal to bring Nova Scotia into the Canadian Confederation:—

“For my part, I do not believe in the propriety or wisdom of the Legislature voting on a great question of this nature, with reference to the Legislature of Nova Scotia, if the people of Nova Scotia have never had the question directly put to them.”

And then he says:—

“Now, whether the scheme be a good or a bad one, scarcely anything can be more foolish, looking to the future, than that any of the provinces should be dragged into it, either perforce, by the pressure of the Colonial Office, or by any party action on the part of Parliament, in the hope of producing a result which probably the populations of those provinces may not wish to be brought about.”

I may say here, speaking of the Colonial Office referred to by Mr. Bright, that this reminds me of the despatch of Lord Carnarvon, who appears to exercise the same kind of pressure on behalf of the Colonial Office, as I believe that despatch based upon some misrepresentation from the colony, and not upon the unbiassed opinion of the Law Officers of the Crown in England. No lawyer could approve of such a despatch as regards its law. One more word from Mr. Bright, and then I am done,—

“If at a time like this, when you are proposing a union”—a word which is less revolting than Abolition—“which we all hope is to last for ever, you create a little sore in a short time, it may be that the intentions of Parliament will be almost entirely frustrated by the haste with which this measure is being pushed forward.”

These words speak for themselves. It was simply to bring out this question of the necessity of the consent of the local Legislatures that I rose, thinking that this point might not have received that attention from the Government which it undoubtedly deserves; though, perhaps, they are so blind in the onward course they are pursuing that they will see nothing. Under these circumstances, I think they would be consulting their future glory, and the prosperity of the country, if they would avert evils which must inevitably come upon the people by forcing on this Abolition Bill. It is not now too late; they would, by doing so, lose no prestige whatever. Abolition, under present circumstances, must lead to the utter dissolution

of the country; and as the only means of averting the danger, I hope the House will accept this Permissive Bill.

Mr. REES.—Sir, I cannot allow the consideration of this question to close, and the session which is now rapidly drawing to an end to pass away, without giving utterance to the thoughts I have concerning this question, its importance, and the course which ought to be pursued by the Ministry and the majority of the House in this matter. The Bill, the second reading of which has been moved by the honorable member for the Thames (Sir G. Grey), is in itself simple and easy of comprehension, and one which any person who pretends for a moment to be a student of history, or to have any acquaintance, however slight, with constitutional law, at all events among English-speaking people, will see is, in the very highest sense, not only just and right, but expedient also. The session which is now closing has witnessed a great many very important debates, and very many important conclusions have been arrived at by a majority of this House. It is not very long since we heard the House resolve that the peculiar position of the colony required that both its finances and its Constitution should be reconsidered. This the Ministry agreed to, and the resolution was passed unanimously. I should like to know what reconsideration there has been since that time, either as regards the financial position of the colony or the constitutional position of the colony. Sir, from a constitutional point of view, this is a more important matter than honorable members seem to me to be inclined yet to think. In the last session of Parliament, when the Parliament was moribund, was about to die, a large majority of this House passed a resolution affirming the desirability of doing away with the provinces—of abolition, as it was called; and a measure was brought down to this House which provided for the carrying out of that purpose. All men seemed to have considered that, because this Act was passed, abolition must inevitably come to pass; that indeed it was an accomplished fact; that we could not get behind the Act; and by reason of that Act being passed by this Assembly, it was assumed that the provinces were literally abolished, the only contest being as to the time when abolition was to take effect. We have heard a good deal said in this matter in relation to the importance of the business of the country. When debates have taken place in this House, honorable members have been pressed as to the time within which they confined their remarks, and have been repressed, as it were, when giving free and full utterance to their thoughts, by regard being had or being sought to be had to the business of the country. Sir, this question of the Constitution is the very highest business of the country. There is none that can for a moment compare in importance to the deciding as to the nature of the laws and the form of government under which people are to live. What, Sir, is civil authority? It is simply a collection, an aggregation of units, of small communities which agree by compact to live together and to be guided by certain laws.

To decide the form of Constitution under which we live, the laws by which we are governed, is the matter of the highest importance we can be called upon to consider, and the most important question that can by any possibility be submitted to this Assembly. It was supposed, when the Government brought down the Abolition Bill of last year, they would have brought down that which would have benefited the whole people, and would be carrying out that which they stated they had commenced in years gone by with the introduction of the Public Works and Immigration scheme; that they would bring about a state of things which would make people in all parts of the country more wealthy and prosperous—that all the prosperity which a people could count upon having would be secured. This alteration of the Constitution was to be the keystone of the arch; and yet, when honorable members have been inclined to debate the question, and to find fault with some of the measures of the Ministry, or to make suggestions of alterations in most important matters, they have been looked upon as wasting the time of the Assembly; and the cry has always been, "Get on with the business of the country—the business of the country." Sir, no nation ever became great by becoming wealthy. I think that will be found to be so. If any person who chooses for a moment to consider the history of that much-maligned portion of the creation, the mention of which seems to raise laughter here, the human race—if any person will take the history of any portion of it, in any station, in any clime, or in any age, he will find that no nation ever became great by becoming wealthy. Nations have become wealthy after becoming great. Greatness in art, greatness in science, greatness in material power, have conduced, no doubt, when possessed by any country or community, to its wealth; but the mere wealth itself of any people, their merely material prosperity, has never, in any right sense whatever, conduced to make a people great. When, therefore, we hear this constitutional question postponed for some question of material prosperity, when we hear the question of the amendment of the laws by which the people are to be governed, questions as to the model on which our constitutional form of government is to be made perfect, postponed for the consideration of a Harbour Board Bill, or a monetary loan Bill, or of the Bills which, by hundreds almost, during the present session, have encumbered the Order Paper—when we hear such things being done as these, we may well believe that a majority of the House have not given due consideration, have not attached proper importance to these constitutional questions, and have not rated them at their proper value. The Constitution of New Zealand, when it was first proposed by the honorable member for the Thames, then the Governor of this country, provided for a state of affairs under which the present order of things could never have obtained, could never in fact have arisen; for the Constitution proposed by that honorable gentleman provided that members of this House should be returned in proportion to the population, and

members of the other branch of the Legislature should be elected by the Provincial Councils from amongst their members. In that case we should never have seen the things we have witnessed. The Upper House would then have been a component part of the whole Legislature, every part of it helping to make with the others a full representation of the people; this Chamber being doubly responsible to the people themselves, and the other Chamber to bodies who were elected by the people as their representatives in the different provinces. Then we should have found the Legislative Council working with this House, and not working in the interests of a class; not being antagonistic to the interests of the people; not being in the interests of one section or class of the people as opposed to the interests of another section or class; but striving in just and noble emulation with this House to render the whole country prosperous, not only in material wealth, but in all those principles and all those things which go to make up the true greatness of any country or of any people. The first fatal step in the history of the Constitution seems to me to be that alteration in the Constitution of the Upper House which has led, during a long course of years, to the confusion in which we now are. That seems to me to teach a lesson to honorable members and to all persons who desire to rightfully regard this matter. A first step, however little we may regard it, whether it be on some incidental vote, or on some motion the carrying of which may seem to us of ephemeral importance, is often the planting of seed which will afterwards spring up and bear good or bad fruit, as the case may be. I do not believe there is a single measure passed through this House, or a single vote given in this Chamber, which will not have an effect for the benefit or disadvantage of the community for years to come. But, Sir, although the Constitution was so altered, and although the Upper House had been made non-elective, and therefore not representing the people, but nominated first by the Government at Home and afterwards by the Government here, yet the Constitution of this country was one such as no other portion of the British Empire possessed or enjoyed. Sir, I ask honorable members, and I ask the people of this country, to consider for one moment the benefits conferred upon them by the provincial system of the Constitution Act. They had, in the first place, power within themselves to legislate upon all local subjects—to deal with these subjects by local men, elected by the local constituencies: that is to say, in the Province of Otago or the Province of Auckland, all questions which solely concerned those great provinces were deliberated upon by men chosen by the people themselves, and whose whole thoughts were given to the consideration of all questions arising within the boundaries of their own local districts. And then the provinces had the right—I ask honorable members to pay attention to this question, because abolition takes all these privileges from them—they not only had the right to choose their own representatives, but they had the right to determine on the spot whether a road should

be diverted or a new one made, whether a charter should be given to a Harbour Board, and to determine all other questions by which the welfare of communities is secured. All these things were settled swiftly and inexpensively by the local representatives. But what will be the consequence of the change proposed? Year after year local matters will have to come up to this House to be decided by people who know nothing about them, and who, unless they devote an enormous amount of time and attention to them, and obtain a vast amount of information—which they are not likely to do—will never be able to give a fair and unbiassed opinion upon them. Then the local Legislatures had the power, which was exercised with equal speed and economy, to hear and decide all grievances arising within their boundaries. This session we have had men coming here from distant parts of the colony, at vast expense, to have their grievances investigated. And with what result? Members of this House know that many of these petitioners, who came here to prosecute their just and righteous claims have had to wait for months, and been compelled to hang about the streets of Wellington, at last not having sufficient money to carry them back to their homes. How differently these things would have been dealt with on the spot! The decision would have been prompt and final. If redress were to be given, it would have been given; if it were to be denied, it would have been denied without delay. The petitioners would not have been subjected to the tedious delays attending such investigations here. Then the provinces had power to spend their own money, and the people had power to raise taxes amongst themselves. They had certain revenues belonging to themselves, and over those taxes and over those revenues the representatives of the people from whom the taxes were raised had full power and control. They had power to raise money by any kind of taxation, except by interference with the Customs duties. Then they had the right—a great right, which the Crown always claimed—of revoing the Acts of their Legislature, abandoned by the Crown. Not a single Act of the local Legislature needed to go Home to the Secretary of State to be assented to by Her Majesty. That was one of their greatest privileges, and it was one of the privileges which were to be taken from the people of the provinces. That was one principle of their local self-government which gave them a very great advantage, because even the Acts of this House must be assented to by the Governor on behalf of the Crown, or must be sent Home for the Queen's assent, before they can become law. The provinces not only had this power of electing their legislative bodies, but they had the power of electing from amongst themselves one man whom they could trust, and in whom they had the utmost confidence, to fill the position of Superintendent. They could thus elect executive officers, who had power to disburse their moneys, control public works, and do that which the General Government will have to do in relation to the whole of New Zealand. The Superintendent was a person who, dwelling amongst the people, might be well supposed, as he was

the chief custodian of all their confidence, to be a person most likely to look after their interests and secure their rights. Then they had the power to dismiss all these officers. The Provincial Council had the power to ask the Governor to dismiss the Superintendent, while it was still possible for him to go to the people if he were dismissed, and be reinstated in his office. There was a complete system of check and countercheck. The people at all times had the right to exercise their will, and to choose for this office the person in whom they had extreme confidence. The Provincial Council itself could also be dismissed: that is to say, if the people were dissatisfied with the Council, if they thought it was not acting wisely, they could petition the Governor to dissolve it. But at the same time the Council could go before the constituencies; and if they had confidence in the Council, the members would be returned to their seats. Then there was another great thing: that all Acts passed by the local Legislatures, all matters concerning their funds or their public works, were discussed and decided in the face of the people most interested. Not here, far away from the great centres, were these matters discussed, but in the provinces, in the face of the people, surrounded by the organs of public opinion, and where the feelings and ideas of the people were impressed upon their representatives. Another important matter we should not lose sight of is this: that under the existing system all citizens are trained to take an active part in political matters. This is a thing we shall utterly lose under the new system, because it cannot be pretended that County Boards can in the slightest degree train the citizens of the country to take part in its political affairs, inasmuch as politics, in their extended and essential sense, are to be barred consideration by the County Councils. This, I may say, has been considered in every age and by every enlightened writer to be one of the first duties of the citizen; and I appeal to those honorable gentlemen who voted against this measure as well as to those who voted for it, to men who are at all acquainted with history, to men who, in the words of an old writer, should study these ingenuous laws, which are not meant to brutalize, but to inform their minds and to soften their manners—I appeal to those gentlemen who are students of history to say whether it is not absolutely a fact that in every age it has been held to be the chief safeguard of a country that all the citizens should take an active interest in its Constitution. Another consideration is that there was a liberal franchise. Representatives were returned to the Provincial Councils upon the same electoral basis as members of this House. There were in reality two systems of representation. All local matters were governed by members returned within their local boundaries, and all matters which it was necessary should be dealt with by this Assembly were dealt with by men also returned by them to the central Legislature. Then there was the advantage of having many small centres in which the various laws could be tried. The Councils passed fencing laws, licensing laws, education laws, and laws dealing with many other sub-

jects. All these were subjected to a fair test; and although there might be half a dozen failures and only one success, the one success might counter-balance all the failures: whereas in this Chamber, if we make a mistake, the people in all parts of the colony may suffer for years to come. There may not be the means of rectifying it until session after session has passed away, for we know that even after stormy discussions on any subject men do not easily change their opinions. It will be admitted also that the best men in the country were secured to represent the people—men who will not be able to leave their businesses and their homes to come here—and matters of local interest were settled close to the doors of the people. All men of mark in the provinces were to be found in the Councils. Many members of this House are members of Provincial Councils, and I am sure they will admit that they have left behind them men equal in ability, and equal in power of thought and speech, to any members of this House; but those men cannot afford the time to come here. It is a very good thing to die for one's country, but very often men are not able to devote themselves to public duties to their private loss; and this is one of these cases. As to the question of economy, it cannot, I think, be denied that the Provincial Legislatures have, in their own interests, uniformly cut their coat according to the cloth. Their ways and means were always carefully considered. They do not act as we do here. They do not pass estimates to the extent of hundreds of thousands of pounds in a single night. They always took care that the burdens upon the people were not laid on too heavily. They exercised far more economy and foresight than we do here, simply because they devoted more time to them. In this respect provincial institutions were a positive gain to the country. In a word, that which the provinces had to maintain, the order and good government of the country, has been far better carried out and brought to far more successful results than can possibly be the case under the legislation of this Assembly. I have shortly indicated what may be taken as a type of the class of benefits which were conferred upon the country by provincial institutions. And what do we gain by the Government measures? We have them all before us—at least, I do not suppose they intend to bring down any more at this period of the session. We may conclude, therefore, that we have all the Government measures before us. The first result is that which sweeps away all these provincial institutions as though they had never existed. They are blotted out, as a boy at school would blot out figures from his slate. A clean sheet it may be called, and this may be called the clean-sheet Ministry; for of the whole Constitution of the country there is simply left a clean sheet. The next result is that our local matters will be dealt with by a number of strangers elected by strangers utterly ignorant of what our wants are. To deal with Otago matters, we shall have in this House 22 Otago members and 66 other members; and to deal with Auckland matters, we shall have 20 Auckland members and 68 others—men who will be impatient when any

local question is raised, who will not be able to devote to local matters that amount of time which is necessary, if they are to be dealt with properly. From the nature of this country those who were resident in it found it necessary to form so many centres of population; and there are therefore bound to be questions of great importance to each particular district, which require thoughtful legislation, and should not be dealt with in a hurried manner, as they must be in this Assembly. Then, legislation will be tardy, and it will be very expensive. Many of the Bills that will be sent up to us will here be classed as private Bills, and it will be months before they can be put through; while the cost of bringing up witnesses and inquiring into each case will be very great, so that there will be increased expenditure of time and of money. There will be no comparison whatever between the cost of legislation and the speed of legislation under the old system and under the new. Then all Acts affecting the provinces can now be upset by the Upper House. That was a thing unknown in the Provincial Councils. Here a question, it may be of the greatest importance, is brought forward and is passed by this House on the assurances of the members from the localities affected; but it goes up to the other House, and there, in all probability, is at once thrown out. There have been two measures of that kind lately from Auckland. There was the Auckland Institute Bill which we passed, but which was thrown out in the other branch of the Legislature. Then there was the Auckland Provincial Council's Library Bill, which the whole of the Auckland people wished to see made law, and which was passed by this House, but in the other House it was at once thrown out. An honorable member of that House said,—

"It was not necessary to have any particular knowledge of the Province of Auckland for any one, on looking at this Bill, to satisfy himself that the proposed Board, or whatever it was called, was a political party Board; and that, so far from providing for the wants, or the wishes, or the possible needs of the people of Auckland, the practical result of such a Bill as this would be to place in the hands of a section of the people of the City of Auckland that which belonged to the people of the whole province."

I say, if the whole of the people of Auckland were polled to-morrow, they would elect these very gentlemen to take charge of the library; and yet, on such statements as that, a Bill which so much affects our province is at once to be thrown out! That is one of the advantages we are to obtain, by sweeping away the legislative powers of the Provincial Councils. Again, the measures in relation to provincial affairs may be vetoed by the Crown. We have given up the privileges we had in that respect; and now, to suit the whim of a Ministry, measures which have passed this House—measures of great importance—measures, perhaps, affecting the waste lands of Otago, or the timber licenses of Auckland—although they have passed this House, have been carried through the Upper House, and perhaps, through the pressure of public opinion have been

assented to by the Governor, may, if the Ministry of the day do not wish to see them come into operation, be vetoed by the Crown. All they have to do is to send Home a message through the Governor, or even send one themselves, and very likely the Secretary of State would have it vetoed. There was nothing of that kind in the Provincial Councils. We are now parting with privileges that were a gift to us, without getting anything to compensate for their loss. I need scarcely point out, in passing, that it was never intended these local matters should be dealt with in this Assembly. The only things the General Assembly were to deal with were those provided for by the 19th section of the Constitution Act, while the Provincial Councils alone were to legislate on all matters outside that section. Then, instead of electing our Superintendents, we are to have for a time delegated officers, and during the remainder of the time the Governor—that is, the Ministry of the day—is to exercise all the powers which the Constitution Act gave to the persons elected by the people. That is not local self-government—that is not giving power to the people. It is taking from them the privileges which they had, and vesting their privileges and powers in the hands of persons who are not in the slightest degree responsible to the people. Again, we can be compelled now to compulsorily tax ourselves under this Counties Bill. At the will of the Assembly, we may be called upon to perform certain works, and to take upon ourselves the cost of various things. This we may be called upon to do, not only at the will of this Assembly, but at the will of the Governor in Council—and that is what is called giving the people greater liberty! Again, we have no longer power to pray for the dismissal of these persons. The action of a delegated officer appointed by the Governor may be most offensive, or the actions of the Governor himself may be most arbitrary; but there will be no power in the people to get the Ministry dismissed, or get anything done to redress their grievances. No doubt they can petition; but they know very well what that means, and what answer they are likely to get. All the power will be gone of assuming any potential part in the redress of their own grievances. All these Acts relating to the provinces will be passed far away from the people most affected by them. So also will it be with petitions for redress of grievances. They will be considered in a place a hundred miles or more away from that where the persons concerned live, instead of beneath their own notice and under their own observation. Besides that, all legislative acts will be interfered with by expense, by distance, and by the length of time during which persons will be engaged in the sittings of this House. We shall also have cumulative voting in relation to these County Councils, which seems to me to be introducing the thin end of the wedge of territorial power. The old Constitution was the most liberal ever granted to any portion of the British dominions. It gave the true power of local government to the people; and however much the out-districts may have suffered from the want of attention on the part of their repre-

sentatives or the partial feelings of Provincial Councils, these evils could have been remedied; and it seems to me that under the new system these out-districts will have less attention paid to them, and they will find their new masters worse than the old. It has already been said by the honorable member who introduced this Bill that in all constitutional changes the people affected should be consulted. When the Irish Parliament was done away with, it was on its own motion. When the Scotch Parliament was done away with, it was on its own motion. When the Constitution of Jamaica was changed, it was on the motion of its own representative institution; and the same has been the case with regard to every single charter granted by the Crown, except in the reign of James II., with regard to the charters granted to certain towns and in the North American colonies—a change which led as much as anything else to the downfall of the Stuart dynasty. There is no single example in the history of England of a charter once granted, which gave large powers, being taken away without the people who received it expressing their willingness through their representatives. I appeal to the speeches of Pitt in days gone by; to those of Bright, and to the letters of Harcourt and other men of the present time—amongst them those of the honorable member for the Thames, whose writings have been quoted in relation to this matter by some of the first men in Europe. Suppose for a moment England were to call the colonies to Parliament, and then were at once to sweep away all the legislative powers, what would be the consequence? It would sweep away the colonies from the British Crown. They would say, “We want our own local Government—a Government representing the people here, which, on the spot, can legislate for matters required on the spot—a Government which can be compelled, by public opinion and influence in the place itself, to guard securely and loyally the interests of the people, to do the public works and spend the public money properly. We will not allow you to take away our privileges without our consent.” That is a position exactly analogous even to that of a conquered country. Its rights and the privileges of its people are respected. Look at Canada. Look at the Channel Islands: Guernsey and Jersey, to this day, after centuries of rule by England, have their own special institutions preserved to them. Look at the little Isle of Man, a place not larger than an ordinary pariah, and certainly not as large as many road districts in this colony, and yet it has its own form of government, for it cannot be called a Parliament, so tender is the English Government—and in fact all Governments—of altering constitutional maxims and ideas and forms of legislative power when once they have been granted. If this House chooses, or if the Government chooses, to get the Secretary of State for the Colonies to sweep away provincial institutions without consulting the people, then the next step may be to do away with the representative institutions of New Zealand altogether. That is but another step. I had intended, had it not been for the

late period of the session, when every ten minutes are considered of value, and honorable members are anxious to come to the end, to have glanced at what has been done under provincial institutions in New Zealand; to have shown how, from a wilderness, the country has been made habitable, how roads and bridges have been constructed and railways formed, how hospitals and libraries and places of public pleasure and public recreation have sprung up—how, in a word, all those institutions which form a civilized and happy society have grown up and become great and powerful under the provincial institutions. I do not do so, out of deference to the wishes of the House. But I may now point out that the provincial institutions which we are losing are institutions which, in this country, are of great value—are privileges and rights which no other part of the British Empire possesses; and in losing them we are to have nothing in their place but a large system of Centralism, by which all power and influence and all appointments are centred in the hands of the few gentlemen who may form the Ministry of the day. Sir, the request made in this Bill is a reasonable request: it is that the people of the provinces themselves should be allowed to decide this question; it is that the Provincial Legislatures themselves should state whether, in their opinion, these privileges should be given up, and whether all the powers should be centred in this Assembly. If Ministers are, as they seem to be, determined by their majority to carry the Provincial Abolition Bill, they must please themselves; but they must remember that it is the people who will rule after all—that all power in free communities must spring from the people. As soon as the people begin to find out the hollowness of the assurances of the Ministry—as soon as they begin to find that they have been promised bread and have got but a stone—their anger will fall upon those by whom they have been deceived. I am not sorry at what has taken place. I believe a country and a people can only become great by reason of conflicts such as this; it is only when these things press on the people that their minds are roused to a consideration of their importance, and it is only by the whole people being taught to think and to feel that any country can expect in any degree to rise in the scale of civilized communities, and to lift its head above the common run of people. I therefore am not at all sorry to see these things being done. All I can hope and trust is that the will of the people will be exercised in a peaceable and constitutional manner. I am perfectly convinced that by the time the Assembly meets next session the people will decide upon this so-called local self-government which is sought to be imposed upon them, and will find out that it is a sham, a delusion, and a snare—that they will contend for a return to those institutions under which they have lived and prospered for so many years—that they will return from the morass and quagmire into which they have been beguiled—that they will return to the strong and steady standing-ground which they had before—that they will return to the old

paths, the old ways where they walked, and where they at any rate had security, and of which they had a knowledge. I hope the majority of this House will see fit to grant to the honorable member for the Thames the second reading of the measure that he has proposed.

Sir G. GREY.—I will only trouble the House with a very few remarks in reply. I wish to say that it is with regret I find that the Government answered my speech by putting up an honorable gentleman to say that I had been guilty of open rebellion. No one knew better than the Government that that statement was absolutely contrary to fact; no one knew better than the honorable member who made the statement that it was absolutely contrary to fact. There are some minds so sunk in worship of those in power that anything said against those in power for the moment appears to be rebellion. To have said anything against the Premier of this colony was rebellion in the mind of the honorable member for Wakatipu, who brought forward this accusation of open rebellion against myself. My words were carefully weighed; they contained no single rebellious thought or expression. The Government knew that as well as I did; but throughout this session one of the means of embarrassing myself and my friends has been that of the location by the Government of two members close to us, continually to interrupt and insult us. The benches occupied by the Government supporters may be looked at, and it will be found that we have put nobody there to insult them on every occasion. Not only publicly by remarks made in this House, but by remarks made in private to reach our ears during debate, those who may happen to oppose the Government have been insulted. Although so unusual a proceeding in a legislative body may be neglected, I do hope that in the next session some provision may be made by which honorable gentlemen sent by constituencies to this House may be free from insults of the kind I am referring to. I do hope that the Government will consider that it forgets its true position in having recourse to warfare of that kind. In no other Legislative Assembly would the Government be concerned in such things. The Government cannot deny that one of their own officers in the House has been one of the persons employed for the purpose of carrying on such offences.

Mr. SPEAKER.—The honorable member is out of order in introducing new matter in reply.

Major ATKINSON.—The statement is absolutely without foundation.

Sir G. GREY.—The honorable member says the statement is without foundation. I should be allowed to show that it is not.

Major ATKINSON.—I shall claim the right of replying to the honorable gentleman.

Mr. SPEAKER.—The honorable member is out of order in introducing these new topics.

Sir G. GREY.—I submit that freedom of debate ought to be observed in this House. I stand up to ask for freedom of debate. That has not been allowed this session by the Government. When I find that we have been robbed

of institutions such as I am in favour of securing, it is difficult, in returning to one's constituents again, not to put on record that which will preserve a remembrance that such things have taken place. That is my sole desire. I say, in point of fact, that it is by a follower of the Government used by them, that the accusation was made against me of having advocated open rebellion. A more unjust accusation was never made against any subject of the Queen or any member of this House. I say that, that accusation having been made here, if the Premier was actuated by right feelings towards members of the Legislature, he would have denied that such has been the case. That accusation having come from a follower of his own party, according to all the ordinary rules observed in Legislative Assemblies I was entitled to rebut a statement of that kind. I simply indignantly throw back in the teeth of the Government the accusation that they caused to be made against me. I say that a reference to my speech will prove that the accusation was unfounded, and will convince everybody that the Government knew that it was unfounded.

Question put, "That the Bill be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	36
—					
Majority against	...	...	...	...	13
—					

AYES.

Mr. J. C. Brown,
Mr. Burns,
Mr. De Lantour,
Mr. Dignan,
Mr. Fisher,
Sir G. Grey,
Mr. Hamlin,
Mr. Hialop,
Mr. Hodgkinson,
Mr. Joyce,
Mr. Lumsden,
Mr. Lusk,

Mr. Nahe,
Mr. O'Rorke,
Mr. Reid,
Mr. Rolleston,
Mr. Seaton,
Mr. Sheehan,
Mr. Swanson,
Mr. Thomson,
Mr. W. Wood.
Tellers.
Mr. Rees,
Mr. Tolo.

NOES.

Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Button,
Mr. Carrington,
Mr. Curtis,
Sir R. Douglas,
Mr. Fitzroy,
Mr. Gibbs,
Mr. Hunter,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kennedy,
Captain Kenny,
Mr. Manders,
Mr. G. McLean,
Mr. Montgomery,

Mr. Murray,
Mr. Ormond,
Mr. Pearce,
Mr. Reynolds,
Mr. Richardson,
Mr. Rowe,
Mr. Stafford,
Mr. Stevens,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Tribe,
Mr. Wason,
Mr. Whitaker,
Mr. Williams,
Mr. Woolcock.

Tellers.

Mr. Andrew,
Mr. Kelly.

The motion for the second reading was consequently negatived.

Mr. MURRAY explained that he had paired with Mr. Murray-Aynsley on Government questions, and, having remained in the House when the division was taken, he, finding this was a Government question, gave his vote with the "Noes," otherwise he would have voted with the "Ayes."

NATIVE GRANTEES BILL.

On the motion for the committal of this Bill, Mr. BUTTON explained that, when he moved the second reading of the Bill, it was understood that any discussion desired should take place on the motion for its committal.

Mr. SHEEHAN would move that the Order of the day for the committal of this Bill be discharged, and would very shortly explain his reason for doing so. In the first place, this was a retrospective Bill, and the Assembly ought to be very careful in sanctioning retrospective legislation, no matter how good a case it might be. The fact that a Bill was sought to be passed for the very purpose of making that law which was not law last year, or three or four years ago, should put them on their guard. The honorable member who had introduced this Bill had done so at the instance of an honorable member of the Upper House, but had not been aware of the facts and had done so out of good nature. The legislation of the Assembly for many years in reference to Native lands had been cruelly—he might even say criminally—unjust and neglectful. He would mention one case to show his meaning. Nearly all the grantees under the Native Lands Acts were tenants in common; and if one of them died, the property went to the surviving grantees, to the exclusion of the widow and children. The Act of 1873, which this Bill sought to repeal, was moved by the Hon. Dr. Pollen in the Upper House who put it before the Council that it was a retrospective Bill, intended to cure a very great defect in the Native land laws. The Bill came down to the House at a late period of the session; it was moved by the Native Minister, but no discussion took place, and the Bill became law. Three years had elapsed, and no attempt had been made to show that a necessity existed for the alteration of the law. By the Act of 1873, certain rights were given to the Native people. He contended, first of all, that the House ought not to consent to retrospective legislation, excepting under a pressing necessity; and, secondly, if the House was asked to legislate retrospectively, the Bill ought to come from the Government, because the Government would be responsible for it, and they could say whether a necessity for the legislation existed. This Bill was brought into the Upper House by a private member, by a member who was interested—he would say that clearly and distinctly—in the titles which this Bill would affect. A Committee sat upon this Bill, and took evidence. The statements of the Hon. Dr. Pollen and Sir D. McLean were directly contradictory. Dr. Pollen maintained that the Bill had been brought in by the Government with the full knowledge of its retrospective operation; and Sir D. McLean

said he did not know it had a retrospective operation. It happened that, at the last meeting of the Committee, three or four members were away, they being ill. The result was that a report in favour of the Bill was sent to the Upper House, and the Bill consequently got a second and third reading. He contended that the fact that the Bill had not been brought in by the Government, but had been introduced into the Assembly by a member of the Upper House who had a direct personal interest in the matter, and that it had been brought in without due notice having been given to the people who were affected by it, the Maoris of Poverty Bay, who would be deprived of rights given by the House under solemn Act in 1873, should cause this House to reject this Bill. If legislation of this kind was necessary, it ought to come from the Government, to whom all parties looked as being responsible for the law. If next session the Government could come to the House and say that, having made inquiries, they found that the Bill was necessary, he would not oppose it. Under the circumstances, he hoped the Order of the day would be discharged; but if the Bill were pushed into Committee, he would oppose it to the very utmost.

Mr. BUTTON did not intend to take up the time of the House with any lengthy remarks upon this Bill; but, in answer to the honorable member for Rodney, he wished to say that, although the Bill was retrospective in its character, it was simply to cure a mischief done by an Act having retrospective operation, which was passed on a previous occasion. There was only one clause in the Bill excepting the short title. It was,—

“Nothing contained in ‘The Native Grantees Act, 1873,’ shall be construed to affect or to invalidate any deed or instrument which before and but for the coming into force of the said Act was valid at law and in equity; but every such deed and instrument shall continue to have the same validity and operation, and to be as binding on the parties thereto, as if the said Act had not been passed.”

The fact of the matter was that by “The Native Grantees Act, 1873,” certain deeds and instruments were rendered invalid, and this Bill sought to put them in the same position as they were in before. The honorable member for Rodney said that the House, by the Act of 1873, conferred upon the Natives certain privileges and rights; but they were rights the Natives had parted with by contract in some instances. The position of matters was this: It was customary to issue Crown grants to several Natives, making them joint tenants, and when one died his rights went to the survivors. As the law stood before the passing of the Act of 1873, any joint tenant could part with his right, thereby barring the right of survivorship. As the matter had been explained to him—he was not personally acquainted with the facts of the case—some contracts were entered into with those joint tenants; and, as the law then stood, those contracts were valid. The law of 1873 came into force, and altered the operation of the common law of England with regard to these joint tenants.

It stated that the lands should be dealt with as other Native lands were, thereby taking away all the right of joint tenants to alienate their estate, and invalidating the contracts that had been made. This Bill proposed to reinstate all contracts made before the passing of the Act of 1873 in the position they formerly held. He agreed with the honorable member for Rodney that the House should be careful in passing any retrospective measure; but this Bill was to do away with the effect of a retrospective measure.

Mr. NAHE had a fear about this Bill: it was not clear to the Maoris. The law passed in 1873 was an improvement on the law which existed previously, and this had the effect of making the shares of these grantees pass to their descendants. But there was nothing in that Act against the sales or leases entered into before 1873. Therefore he thought there was no ground of complaint on the part of those who purchased before 1873 to warrant the introduction of a Bill like this. He also wished to urge this objection: that numerous Bills were brought in relating to Maori lands; the Maoris were not conversant with the Acts already passed; and yet here they had a new Bill brought in. He did not think any regard had been shown to the Maoris by the promoter of this Bill. It seemed to him that the honorable gentleman had some evil design on the Natives. Therefore he would support the proposal for its discharge.

Mr. TAKAMOANA agreed with what had fallen from the honorable member for the Western Maori District. The Bill should be circulated amongst the Natives, in order that they might understand it and be able to compare it with laws passed formerly. If they desired that the Native and European people should become one, they should have equal opportunities of studying these Bills. It was objectionable that, while the Government were bringing in a Native Land Bill, private members should be permitted to do so also. That was very wrong. Such Bills ought to be introduced by the Government, and not by private members, and he hoped this measure would be thrown out.

Major ATKINSON said the Bill appeared to be a very reasonable one. It was not retrospective in any sense, its object being to cure retrospective legislation in an Act of 1873, which was passed without proper consideration. If the honorable gentlemen representing Maori districts looked carefully into the Bill, they would see that it did not interfere with Native rights, but simply placed all parties in an equal position before the law. There were some agreements made in 1873; and he felt sure the Natives, rather than repudiate those agreements, would wish to see them faithfully carried out. As far as he was aware, the agreements were reasonable and fair, and this Bill stated that if they were fair and honest they should be enforced. He trusted the House would agree to pass the Bill.

Mr. HAMLIN said the Bill certainly appeared to have a retrospective effect. It not only went back as far as 1873, but it went back to the East Coast Act of 1868. In considering matters affecting the Natives, it was only right that the House

should deal with them calmly and dispassionately. It was possible, as stated by the honorable gentleman at the head of the Government, that the Natives had the best of the agreements, but on the other hand they might be told that it was not so. He certainly agreed with the Native members who had spoken that it was wrong for private members of the House to bring forward measures simply to protect themselves. If an amendment of the law with regard to the Natives was required, it was the duty of the Government to consider the matter, and bring down a well-digested measure. They should not be asked at the last stage of the session to consider such a Bill as this. It should first of all be circulated amongst Europeans as well as Maoris, and then they would be able fairly to consider the well-being of the two races, and endeavour to make the Bill meet the requirements of each. He thought there was very good ground for the discussion which at present occupied the Native mind. He was sorry to have to say it; but having been born in the colony, and being tolerably well acquainted with the Native people and the Native language, he thought he could speak with some little authority, and he knew that a great deal of dissatisfaction existed amongst the Maoris at the present time; and it behoved the Government fairly to consider this measure, otherwise they would become involved in some of those troubles which the Europeans of this island did not wish to be involved in. He hoped the House would reject the Bill.

Mr. SWANSON would put it to the Government whether it would not be as well to allow this Bill to drop. It could then be printed in the two Maori newspapers, and by that means its contents would become known to the Native people. He quite agreed with the Premier that, if a bargain was fairly and honestly made, it should be carried out; but he also believed that the Natives had sufficient honor to prevent them repudiating a fair transaction. The Bills that were brought down to deal with Native matters did not impress him with the wisdom employed in their preparation. The Bill brought down by the Government early in the session to cure all these matters was received with great dissatisfaction, by Natives as well as Europeans; and now, at the end of the session, they were asked to pass a Bill affecting very important rights. He hoped it would not be proceeded with any further. No evil result could happen in the meantime; whereas, on the other hand, the whole subject could be dealt with in an exhaustive manner next session.

Mr. TAIAROA said the Bill contained no preamble, and did not in any way explain its object. Apparently it was introduced to validate certain agreements entered into at some former time; but he hoped it would be withdrawn. It would be much better to deal with the whole subject of Native lands next session.

Bill discharged.

TRIENNIAL PARLIAMENTS BILL.

Sir G. GREY, in moving the second reading of this Bill, said that five years was the period for

which Parliaments were originally elected in this colony. As public opinion changed so rapidly in colonial countries, and as new questions arose suddenly, it was proposed now to improve the representation by providing that Parliaments should not be elected for more than three years. There was a peculiar necessity at the present day for such a change being made. Serious and important events were likely to take place in this country. It was now proposed to relinquish the power of electing their own Governors, and to receive Governors nominated by the Ministry of the day in England. Governors were no longer nominated by the Queen. Their commissions were issued in Her Majesty's name. Within his own lifetime, a Governor was absolutely selected by the Queen. Recently, however, he had seen the Secretary of State departing from that rule, and simply notifying that he had been pleased to appoint a Governor, and that Her Majesty would be advised to confirm the appointment. They had here given up the privilege of electing their own Governors, and were about to accept nominated Governors. Then, again, they had originally Legislative Chambers in New Zealand composed of representatives from districts immediately surrounding the place in which the Chamber sat. Those representatives had the right of making their own laws, free from control from Great Britain or any other country. They were about to give up that privilege; they were about to give up all power of legislating for themselves, and of attending to their own affairs; they were about to place those affairs entirely in the hands of a number of gentlemen assembled at Wellington. It was very certain that few gentlemen would spend so much of their time in Wellington every year if the Parliaments were elected for five years. The chance of getting good representatives was greatly increased by limiting the duration of Parliament to three years. It was quite certain that they would require active members, or the business of the country would not be properly attended to here. While the present question was under consideration, he saw there were only two members of the Government in their place. He observed that Ministers were continually absent when important questions were being considered. Under such a state of things, and when questions so vitally affecting the interests of the colony would have to be considered, it was necessary that the inhabitants of New Zealand should have the power of rapidly changing their representatives if they did not attend to their important duties. He was convinced that their only chance of getting the business of the country properly conducted under the new system would be by limiting the duration of Parliament—that was, to insure the return of members to this House at least every three years. With those few remarks, he begged to move the second reading of the Bill.

Mr. WHITAKER said the question of the duration of Parliaments was one which required careful consideration; but he thought the present period of the session was not the time when they could give that consideration to the subject which it deserved. The whole of the electoral laws

would have to be taken into consideration next session, and necessarily this subject would also have to be considered as part of the subject. Therefore he thought this Bill had better be postponed until that time. He did not know whether the honorable gentleman's intention was that this Bill should apply to the present Parliament or only to future Parliaments. He thought this was not an opportune time to discuss this question. It must come on for consideration early next session. He would move the previous question—that the question be now put.

Mr. STEVENS was extremely unwilling to occupy the time of the House; but the question was one on which he had formed fixed opinions after a considerable amount of reflection. He might say that he was altogether in favour of the proposition of the honorable member for the Thames, because it appeared to him that, in view of the great changes that were to take place in the government of the country, and which were now being given effect to, it was important that the greatest possible freedom should be given to the constituencies in the selecting of their representatives—that they should have every opportunity of approving or disapproving of them. He was led to that conclusion as much by what had taken place in the past as by what was likely to take place under the contemplated changes referred to, because he had noticed for a number of years that the whole character of a constituency had been completely or almost completely changed in a very short period of time. He noticed, also, that an immense change took place in a few years in metropolitan constituencies. Those who represented suburbs in conjunction with cities must be aware that they were at all times liable to see a change take place in the constituency which materially altered the current opinions of that constituency. He was aware that arguments were used to the effect that it was not desirable to disturb the minds of the people by frequent elections. He was of a quite different opinion. He thought the more public attention was given to public affairs the better; the more likely were the people to be well and thoroughly represented in the country, the more likely were they to have a representation satisfactory to the constituencies in the respective districts. There were times when the representatives might be popular, and there might be times when they might be unpopular: they would have to abide by the public voice. It was ridiculous to state as a reason against triennial Parliaments that the constituencies would run a risk of losing experienced public men. There were many arguments which might be used in support of this Bill. If the arguments in favour of it were fully stated, as against those brought forward in opposition to it, the preponderance in favour of it would be enormous. The great point was this: that the effect of the present proposal would be that it would tend to bring this Legislature into the greatest possible sympathy with the population of the country. Under the change in the Constitution, the House was transferring to itself the greatest portion of the popular attention that had previously been

absorbed by the Provincial Legislatures. He could conceive nothing that would be of more importance than to give to the public the utmost possible opportunity of placing themselves in the closest sympathy with the members of the Legislature whom they were called upon to return to this House.

Mr. HENRY, in reply to the honorable member who had just sat down, said that if a general election were held every three years, or at any shorter interval of time than five years, it would cause considerable expense and disturbance in the colony as a whole. The present term of Parliament was quite short enough. It might be all very well for those who represented constituencies in cities or towns to wish for a shorter duration of Parliament. But in the case of constituencies which extended over a large area of country, and where it required days and weeks of travelling to contest an election, and heavy expenses had to be encountered, five years was not at all too short a term. The motion of the honorable gentleman should not be assented to.

Mr. BARFF did not think it would be advisable to allow this question to go to the vote unless some arguments were put forward by honorable members in answer to those which had been advanced in favour of the Bill. It was with some surprise that he heard a member of the Government say it was a matter of probable necessity that this question should be considered early next session. The House had not yet heard a single argument in favour of the Bill; and for every one that could be adduced in its support, there were a thousand that could be brought against it. The honorable member for Buller had pointed out the difference between elections in country districts and those in towns. It might be very well for the honorable member for Christchurch (Mr. Stevens), who actually made an election more of a holiday than anything else, and for the honorable member for the Thames, who was returned for two districts at the same time, to be in favour of a short Parliament; but if they had to canvass the Hokitika District, they would hold totally different views. During the last three weeks of a contested election in that district, if a candidate got three nights' sleep in that time he would be lucky, and even then he would have to leave certain parts of the district uncanvassed, and without having held meetings in them. If Parliaments were made triennial, it would close the gates of a political career to a large number of persons who made very useful members of the House at present. It would make many constituencies pocket-boroughs for those who could afford to contest an election every three years, and who might trust to a little personal influence, and wealthy influence, to secure their return. There was a large proportion of the members of the House who would feel it very inconvenient if they had to go before their constituencies once in every three years—not because they were ashamed, on account of any action of theirs, to meet the electors, but simply on account of the immense amount of trouble to which they would be put. The honorable member for Christchurch said there would be, with triennial

Parliaments, greater sympathy on the part of the public with their representatives; but, at the present time, constituencies had an opportunity for expressing a decided opinion upon the action of their representatives; and he would think very meanly indeed of any gentleman who would continue to hold a seat in this House against the direct and expressed wish of a majority of his constituents. Therefore that argument would not hold water for a single moment. It would be extremely unwise to interfere with the present order of things. Only that the session was so advanced that he and other honorable members were impatient of long speeches, he should feel very much inclined to make more lengthy remarks. He was sure that, if the matter were brought forward next session, he and other honorable members would be quite prepared to oppose the Government or the Opposition, or both, if they proposed to alter the existing arrangement.

Mr. MONTGOMERY would, in reply to the honorable member who spoke last, say that the district he represented, Akaroa, was very difficult to canvass. He was engaged in canvassing it for six weeks or two months, and had considerable toil and trouble: nevertheless he was entirely in favour of the Bill for fixing the duration of Parliament at three years. There was no other means of giving the people a potential voice in the affairs of the country. The going back to constituents and telling them what members had done, and obtaining a vote of confidence, was not sufficient. The people should have an opportunity to consider whether another gentleman might not be a better representative than the one they had. The only way in which the people could show their confidence in their representatives was by their voice given through the ballot-box. He was not going to take up the time of the House, and he would merely say that the changes in this colony in three years were more numerous and greater than they were in England in seven. Therefore, if seven years was a fair duration for Parliament in England, three years should be the outside duration of Parliament in New Zealand. He would not vote for the previous question, but would support the second reading of the Bill.

Mr. HODGKINSON would support the Bill, but he did not intend to speak upon it. Triennial Parliaments were held in England a century and a half ago, and the substitution of a term of seven years was held, by reformers most competent to judge, not to have answered well. He could quite sympathize with what had been said by the country members, as he represented a country district, as to the difficulties and trouble of a contested election; but still he had no objections to this Bill, and he entirely agreed with some of the remarks of the honorable member for Akaroa.

Mr. MANDERS was understood to say he must trouble the House with a few remarks upon the subject, and also to give expression to an opinion he wished to have recorded. He thought it very desirable to have triennial Parliaments. What he desired to say to the House was, that it was his intention in all probability not to be present in the House during next session of Parlia-

ment. Speaking in all seriousness, that was his intention. He did not intend again to witness the waste of time, to experience the inflictions he had suffered under, and to hear honorable members speak solely against time. He had listened with all deference and attention to the honorable member for Auckland City East (Mr. Rees); but he had been that day insulted by being told that remarks which fell from him would not be listened to with attention until a Minister had indorsed them. Time had been wasted by honorable members, and now the House was hurried in transacting important business. Referring to the proposition to have triennial Parliaments, he thought that House, having been elected for five years, should sit for that term, but he would be in favour of having triennial Parliaments after that. He indorsed the views of some honorable members who said they would like to go to their constituents every three years; but he thought no action should be taken until all had consulted their constituents.

Mr. FITZROY would support the second reading of the Bill, for he believed that it was a most desirable measure, especially in a country where such great constitutional changes were about to take place. The closer the connection between the electors and the representatives, the better. The arguments principally adduced against the Bill were the expense it would cause to the colony, and the personal inconvenience and expense it would cause members. He did not think those things should be considered in the matter. A man did not expect to have the honor of sitting in the House for nothing; he must go through a certain amount of personal inconvenience, and give up his time to the country. There was one argument which did certainly weigh with him, and it was this: It had been well said that it took new members one session to get into the way of things—if he might use the expression, to “learn the ropes;” and by the second session they were able to give their whole time and attention to their duties. He was told that in the last session of Parliament members were too apt to take their re-election into consideration, and were therefore too much inclined to talk to their constituents. That certainly was a good argument, and, instead of triennial Parliaments, he would prefer seeing Parliaments sit for four years, but certainly not for longer. He would not detain the House, but would support the motion of the honorable member for the Thames.

Mr. TOLLE said he had thought a good deal on this subject, and had made a few notes on the question; but as there was some impatience on the part of honorable members, he would not detain them at any length. He wished, however, to adduce a strong argument in support of the Bill, which had not been brought forward. That was the rapid increase of the population, in which respect the colony was entirely different from England. He found that, in New Zealand, between the years 1858 and 1861 there was an increase of 40,000 inhabitants; from 1861 to 1870, an increase of 44,000; and from 1870 to 1875 there was an increase of 127,456 people.

That was to say, a very large section of the people were not represented, and therefore the Abolition Bill was passed at a time when 127,456 people, whose Constitution was about to be swept away, were not represented. He would have another opportunity of giving his views on the question; but generally he might say that he was strongly of opinion that the representatives of the people should go before their constituents much oftener than was now the case, and it would be found to work a wonderfully salutary effect upon the government of the country.

Mr. SWANSON, speaking of the difficulty and expense of canvassing the districts, said he apprehended there would be far less expense in the case of annual or triennial Parliaments, simply because candidates for seats would make the announcements in the newspapers answer all these purposes. He had heard something said about meeting the constituencies. In his opinion, that was generally the greatest of all farcos. He had known two members representing one district who held meetings of their constituents on the same day at the same time and place. They consistently voted against each other in the House throughout the session, and yet each received a vote of confidence. The best way to learn what the constituencies thought was to go to them for re-election. It was then they spoke in a way that left no doubt as to their meaning; and if the Parliaments were short, that would sharpen them up, and they would keep a closer watch on their representatives. The five-year Parliaments were too long. Some members, as soon as they were elected, imagined they could do as they liked, and forgot their promises: in fact, some of them looked upon it as an estate out of which they and their friends were entitled to do the best they could for themselves. It struck him that it might be a troublesome thing for the Ministry if they had shorter Parliaments, for the number of members they would have to provide billets for in order to keep up the majorities would be something enormous. Then there was another matter he would call attention to. It was one advantage of the provincial system that the people were brought face to face with their representatives. The provinces, however, were abolished, and they were told that the people were now to be brought face to face with that House. In those circumstances he thought it would be very much better that they should insist upon having shorter Parliaments. Triennial Parliaments, in the meantime, would do very well; but in the end he believed they would have annual Parliaments. He might not live to see it, but he believed that time would come. The people did not understand those matters very well now, and he believed it was the desire of the Government to keep them ignorant of them. That was not a statesmanlike way of doing things. His idea was that the policy of the country should be made plain to the people of the country; and that end could best be secured by sending the representatives before them at frequent intervals. The people were charged with vacillation—with favouring one policy to-day and another to-morrow; but had the people known as much as we

did, the result of their votes in regard to a certain policy would have been very different in nine cases out of ten. He hoped the Bill would be agreed to. He had himself given a promise to his constituents that if the subject ever came up—he did not say that he would bring it forward himself, because he knew he did not possess sufficient influence to carry it—but he said that if ever it came up he would support it, and he hoped it would become law. If the people were to have an interest in political affairs, their political representation should be a reality and not a sham. Their electoral laws, for instance, were in a most frightful state, and should be thoroughly remodelled; and this will bring it about. He hoped the Government would see the propriety of dealing with the matter, and devising a cheap and economical system of electing members to the House.

Mr. FISHER believed it to be the wish of the people that such a Bill should pass. As to the opinions of meetings of constituencies, he could indorse the remark of the honorable member for Newton as to members for the same district voting against each other in the House, and yet both receiving votes of confidence from their constituencies. Still, it was far better that they should have an opportunity of electing fresh representatives every three years. To make the duration of Parliaments shorter than three years would be absurd. There would not be time to go over large districts every year; but after a man had served a constituency for three years they would know what his capabilities were, and they ought to have a chance to send up a better man if they thought fit to do so.

Sir G. GREY, in reply, thought that if triennial Parliaments did lead to greater expense, as argued by one honorable member, the money would be well spent. It would be much better for the people of the country to have to bear that expense than to have to pay the enormous sums which were squandered upon private individuals, and which he was quite certain would not be paid if there were triennial Parliaments. It would be much better, for many reasons, that members should return to their constituents frequently. It might perhaps be instructive to the House to know that this measure had actually been only lost in the English Parliament on one occasion by a majority of nine, so that honorable members should not suppose that the subject had not been considered at Home. But there was this important circumstance to be considered: that there were absolutely 127,000 persons in the colony who were not represented in the House when the Abolition Bill was passed. That was made clear by the honorable member for Eden; but he would go further and state his firm conviction that, if there had been triennial Parliaments, the House would not have dared to pass the Abolition Bill and to force on a new Constitution while there were 127,000 people who had no opportunity of making their opinions regarding it known. If the Parliament had been triennial, the Bill of which he moved the second reading that day—the Permissive Abolition Bill—would have been

carried; and that brought him to the statement of the honorable member for Waikato, who thought the consideration of the present Bill inopportune. To his mind, the time was never more opportune, nor was there ever a greater necessity for it. Then they were told that it was too late in the session to pass such a measure. That was a mere sham, because it was well known that every member of the House had made up his mind upon it. Another honorable member—the member for Waikato—suggested that it should be considered next session. It was rather a strange thing, that though the same honorable member told them that in 1866 he promised the Premier that in the next session he would bring forward a measure to secure manhood suffrage, yet here they were in 1876 and that promise still remained unfulfilled. Did any one believe that the Government had the least intention to come down with a measure of that kind next session? Not at all. They had abandoned their functions. They had not the manliness to say, "We are opposed to this measure." They moved the previous question, instead of standing up and saying, "We are opposed to this Bill, and are prepared to stand or fall by the result." Nothing of the sort. They cling to office. They lead the public to believe that their inclinations are one way while they vote in the other. It was their duty to state manfully what their views were, to lead the country, and to abandon power if the country did not adopt their views. He was sorry to see a Government adopt such courses, and should force them to record their votes.

Question put, "That the question be now put;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	32

Majority against	...	...	...	10
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AYES.

Mr. Baigent,
Mr. De Lautour,
Mr. Dignan,
Mr. Fisher,
Mr. Fitzroy,
Sir G. Grey,
Mr. Hamlin,
Mr. Hodgkinson,
Mr. Joyce,
Captain Kenny,
Mr. Lusk,
Mr. Nahe,

Mr. O'Rorke,
Mr. Rees,
Mr. Seaton,
Mr. Sharp,
Mr. Sheehan,
Mr. Swanson,
Mr. Taisaroa,
Mr. Thomson,
Mr. Tole.

Teller.

Mr. Montgomery.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Carrington,
Sir R. Douglas,
Mr. Gibbs,
Mr. Hunter,

Mr. Ormond,
Mr. Reid,
Mr. Reynolds,
Mr. Richardson,
Mr. Rolleston,
Mr. Shrimski,
Mr. Stafford,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Wakefield,

Mr. Hursthouse,
Mr. Johnston,
Mr. Kennedy,
Mr. Lumsden,
Mr. Manders,
Mr. G. McLean,
Mr. Murray,

Mr. Wason,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Henry,
Mr. Kelly.

The question was consequently not put.

CIVIL LIST BILL.

The House went into Committee of the whole to consider of leave being given to withdraw this Bill.

Mr. SHEEHAN understood the object of the Bill was to increase the number of the Ministers, and to add £1,250 a year to the charges on the Civil List. He would oppose any such proposition. Seven Ministers, with two members of the Native race to assist them, were quite sufficient to carry on the work of government, especially considering the large salaries and allowances those Ministers received. He did not think it was a proper time to introduce a measure of this kind, when the House had just been told that all the business would be finished on the next day or the day after. The proposal that the additional Minister should be a Minister for Education, to his mind, added no recommendation to the proposal. He could quite understand why the Government should circulate the idea that the additional Minister was to be a Minister for Education, because it would lead away the people; but why not give the Minister of Justice the charge of the Educational Department? Every one would have confidence in that gentleman; he was most suitable for the office, and his time was scarcely so much taken up at present that he could not attend to the duties. The Government should have given some intimation before now that they were going to increase the number of Ministers.

Major ATKINSON.—I did give such an intimation.

Mr. SHEEHAN.—Then it was of a very undecided character, although no doubt it left it open to his honorable friend to move as he was now doing. The honorable gentleman did not tell the House that he would ask it to consent to an addition to the Ministry; and, that being the case, he ought not to do so now, within two days of the closing of the session.

Mr. BRANDON said it was bad enough that the House should alter the laws year by year and session by session, but it was much worse when it altered them day by day. It was only that very morning that the House passed a Disqualification Bill, providing that there should be only seven Ministers, and now it was asked to make the number eight. Besides that, the Assembly had declared that the educational establishments of the provinces should remain as they were until the next session. The General Government was not, therefore, going to take them in hand, and, if there was any necessity for them to interfere in any way, the Minister of Justice, as the honorable member for Rodney said, would be the proper person to do so.

Mr. HENRY said that if a new portfolio was to be created, it should be that of Minister of Mines. The country which they all recognized as their home was so wonderfully endowed with minerals that a Minister of Mines ought to be appointed, and a School of Mines established. If, therefore, an additional Minister were appointed, he should be a Minister of Mines instead of a Minister for Education.

Mr. WOOLCOCK held that too much importance could not possibly be attached to the education of the youth of the colony; but it must also be remembered that the material wealth and progress of the colony depended to a very considerable extent on the development of its mineral wealth. If, therefore, a new portfolio was to be created, it was desirable that it should be held in connection with the mining interest of the country. He knew that the miner and the mining interest were to many honorable members like a red rag to an infuriated bull—they were always ready to rush at it. It could not, however, be denied that the mining interest had contributed very considerably to the material wealth and progress of the colony. He was not one of those who held that the mining interest was the only interest of importance to the colony; but still he maintained that it was a very important interest, and that the present position of the colony was to a very considerable extent due to the development of the mining interest. Notwithstanding all that had been said, and the views that might have been entertained with respect to the position of the colony, he maintained that its progress for many years to come would depend very materially on the further development and progress of the mining interest. He did not for a moment pretend to deny that manufactures were of very great importance; but the country was too young for them. The mining interest had contributed very considerably to the progress of the colony up to the present time, and for many years to come the progress and stability of the colony must depend on that source. It was therefore of the utmost importance that the House and the Government should give every facility for the development of that interest. Although he did not feel very strongly on the point of having a Minister of Mines, yet he felt that the mining interest should receive more consideration than had hitherto been bestowed upon it, or than it was now receiving. He felt that it would be in the interest of the colony at large to afford greater facilities for the development of that interest than had hitherto been given by the Parliament. He felt convinced that the future progress and stability and dignity of this colony would be very materially affected by the educational machinery initiated and carried out; yet at the same time he could not but feel that the development of the mining interest at the present time must deeply affect the well-being of the colony, and he would therefore wish to see attention bestowed on the development of the material interests of the country as well as on its intellectual development.

Mr. REES said it was impossible to go on with this Bill, inasmuch as it contradicted the

Disqualification Bill passed on the previous evening. It was impossible that two contradictory measures could be passed in the same session. The exemptions in the Disqualification Bill referred to seven members of the Executive Council, while the present Bill proposed to exempt eight members. He thought it was somewhat contradictory to pass a Bill one night and next night to pass another virtually repealing it.

Mr. WHITAKER said there was no practical difficulty whatever in the way of passing this measure. Whether there should be an additional Minister or not, was a question for the House to decide. It must not be forgotten that there was a great deal of additional labour thrown on the members of the Executive Government. Indeed, the work, instead of decreasing, had increased one-third. Under these circumstances, it appeared to him that there would be enough work for all the Ministers to do. He had no desire to press the matter on the House. Even with an additional Minister, from the experience he had had this session, he was quite satisfied that there would be as much work for the Ministry to do as they could possibly overtake. The statutes passed this session would have the effect of very materially increasing the work to be done, which must be provided for in some way or another. He did not see how Ministers could work longer hours than they did at present; and if the work of the country was to be properly carried out, there should be a sufficient number of Ministers for the purpose of doing so. With regard to the observations of the honorable member for Auckland City East, he would state that there could be no conflict between statutes passed on different days, as he suggested; and moreover it was intended, if this Bill passed, to make an alteration in the Disqualification Bill in the other branch of the Legislature.

Mr. REES wished to know if they could make an Act and repeal it in the same session.

Mr. WHITAKER supposed the honorable member had read the Interpretation Act of New Zealand, where he would find that an Act passed in a session could be repealed in the same session.

Mr. REES hoped the House would not consent to the proposal for increasing the number of Ministers, especially after having passed the Disqualification Act on the previous evening. They had been told this session that there was to be great economy exercised. Well, if this was to be the sort of economy that was to be practised, they would find that the expenses of the country would be largely increased in every department of the Government. He hoped the House would not consent to the passing of this Bill, at any rate this session.

Sir G. GREY thought the statement made by the Postmaster-General was an alarming one. They had been assured that considerable economy and saving would be the effect of abolition. The honorable gentleman, however, had already found that the work of the Ministry would be increased one-third in consequence of abolition. It was now said that an additional Minister would be required besides the one proposed by this measure. He (Sir G. Grey) did not agree in that statement.

He did not think the Ministers themselves believed it, or they would not consent to one of their number living away from the seat of Government. He believed there were already more Ministers than were now required, and that the Minister of Justice was quite capable of performing the work of Education Minister, in addition to the duties connected with his present office. He hoped the House would not consent to an expenditure of this kind, otherwise they would be sanctioning an expenditure that was altogether unnecessary.

Mr. REYNOLDS said he hoped the Government would not press this matter this session. He had not the least doubt but the Minister of Justice could easily undertake the duty of Minister of Education, for which duty he was eminently qualified. He admitted that Ministers would have plenty of work to do, but he thought they should not go to an extreme expenditure just now, seeing that there would be very considerable expense in connection with the scheme which was to follow the abolition of the provinces. It had always been understood that there would be some saving, but, if they went on adding to the expenses as now proposed, there would be no saving at all. He believed it would cause great dissatisfaction if another Minister were added to the Ministerial benches. If they found during the recess that another Minister was absolutely necessary, it would be competent for the Government next session to introduce this Bill. He thought it would be impolitic to press this Bill in the absence of so many members and in such a thin House. It would not be right to carry through a Bill of this kind with so small an attendance of members.

Mr. ROLLESTON said it was really refreshing to hear the speech of the honorable member for Port Chalmers, who had been one of the prime movers in bringing about the Abolition scheme. They well knew what abolition meant: that it would very largely increase the number of Ministers and departments. He was surprised to hear the honorable gentleman objecting to the present proposal. Surely the honorable member must have known, from his experience as a Minister, that the work of the Government even during the last year had been utterly behind-hand in a number of the departments. They were now going to take over a great deal more work, and he (Mr. Rolleston) affirmed that it would be absolutely necessary to have more Ministers and more clerks. It was not fair to judge of this country by countries like Victoria and other colonies in a matter of expenditure. They had here most exceptional circumstances which had never been recognized, or they would not have got into the trouble or "mess"—that word was now a household word—in which they were now placed. They were sure to get into difficulties in consequence of this wild Abolition scheme. The proposal, as it now came before the House, really required a little more explanation at the hands of the Government. It was proposed that there should be eight Ministers, and it had been announced from the Ministerial bench that at least four Ministers were to retire at the end of the session. It was not in accord-

ance with proper constitutional government that the House, within forty-eight hours of its rising, should not know what the Government were going to do in this matter. The House did not know to whom they were going to intrust the great work of carrying out the Abolition scheme—a scheme which would depend almost entirely now upon administration. No one supposed that the measures which had been passed were understood by the House, by the Ministry, or by the country; and therefore it was very advisable that the House should recognize that what they had to regard was men, not measures. He would give the Government his support at that stage of the session in getting what they wanted in a matter of this kind. The House affirmed the proposals of the Government for abolition, and the Government were entitled to what they asked for to enable them to carry out that scheme. He would support the Government in this or any proposal in reason they said was necessary for carrying out this scheme; and he thought the honorable gentleman who had just spoken was one of the last who should have got up to oppose them in this matter.

Mr. BARRF said, although he was very loth to increase the number of Ministers, he would be sorry to interfere by his vote with the proper administration of the affairs of the country. Something had been said by honorable members about the appointment of a Minister of Mines; and he must say that he entirely indorsed most of the views expressed upon that subject. He did trust that before the conclusion of the session the House would have a distinct statement from the Government benches that during the recess the Government would take into their consideration the desirability of adding the portfolio of Minister of Mines. He would point out that in "The Civil List Act 1863 Amendment Act, 1873," provision was made for the portfolio of Minister of Mines. He desired to call the attention of the House, and particularly that of the Government, to this matter; and he would point out that from one end of New Zealand to the other the Press had been, he believed, unanimous in the opinion that the appointment of a Minister of Mines was a positive necessity for the country. He did not wish to, what might be called, gush, with regard to the mining interest; but he could not close his eyes to the fact that the mining interest was of great importance to the colony, and was even yet in its infancy. From various parts of the colony mineral discoveries were reported; and it was for the Government to consider whether the appointment of a Minister of Mines would not aid in developing the mineral resources of the country, and be a great benefit to the colony. According to his opinion, the ordinary increase in the wealth of a colony might be estimated by the increase of its exports over its imports, and the mining interest was especially the interest which increased valuable exports. The whole Press of the colony was in favour of the appointment, and he had no reason to doubt that a large majority of the House were in favour of it. He did not wish to inconvenience the Government in any manner by opposing the pro-

posal to have another Minister; but he would point out, as had been mentioned by the honorable member for Avon, that, when the House met next session, honorable members would be faced by many gentlemen on the Government benches who did not now occupy a position there. When the reconstruction of the Ministry took place, it would be extremely desirable for the Ministry to consider the suggestion he now made with regard to the appointment of a Minister of Mines. It would be for the Government to consider to what extent they could amalgamate offices in the distribution of portfolios. He presumed the work in the department of the Minister for Immigration was not very heavy, and the greater portion of it could be attended to by clerks. The same remark might apply to the duties of other honorable members on the Government benches. He did not wish to see them overworked by their not having sufficient strength upon the Government benches. He would point out to the House that the Minister for Public Works had been so closely kept to his work that he had not had sufficient time or leisure to personally observe the results of the public works scheme that had been carried on in the colony. He took it for granted it would be false economy on the part of the House to interfere to any great extent with the administration of the affairs of the country, especially when it was going through so important a constitutional change as it was at the present time. That was more particularly the case when, as the honorable member for Avon said, the success or failure of the scheme would depend, at all events at the outset, upon the administration of it.

Mr. HENRY would say that the appointment of a Minister of Mines would be very conducive to the prosperity of the country. The appointment of a Minister for Education had been advocated, and he might mention that the creation of the portfolio of a Minister of Mines would lead to education in another direction.

Major ATKINSON must confess he was very sorry to see the view the Committee took of this matter, because, after considerable experience, he was convinced the business of the country could not be satisfactorily conducted without an increase in the number of Ministers. He was quite certain that the re-organization of everything—for that was what the measures that were about to come into operation would require—taken in conjunction with the order of the House that the ordinary Civil Service should be re-organized, would cause an amount of work which it was quite impossible for the present staff of Ministers to undertake. If the House desired that this work should be performed by the heads of departments, then they would do wisely to leave the staff of Ministers as at present, and to direct an increase in the permanent staff under Ministers. He would say distinctly that, if the House desired that the country should be really governed through its Ministers, their number must be increased. One of the great difficulties under which the colony had to labour was to obtain Ministers who had really a knowledge of New Zealand. There had been a great many Ministers who only knew

certain portions of New Zealand, and the result of the whole political system of the colony had been to localize our leading politicians. Consequently, very few had a real knowledge of the country such as should be possessed by a Minister. If the whole of the work of re-organization was to be thrown upon the present staff of Ministers, it was impossible that they could attain that knowledge which they ought to attain by visiting various parts of the colony, with a view to carrying out that organization which the House wished to have properly done. It was, to his mind—he being desirous of doing the work effectively, and not being afraid of work—a very great pity that the Committee should take what appeared to him to be a very narrow view of the position. But if such was the view the Committee took, he wished distinctly to enter his protest against it, and to say he was certain the Committee would do very serious harm to the public service, since it would be impossible to do the work which he proposed should be done during the recess in a manner that would be satisfactory to the House. He would do the best he could in the matter; but, if Ministers found it impossible to do the work, they would have to leave some of it undone, and that would be a very great misfortune at the present time. That being his view, he would move that the Chairman report progress and ask leave to sit again, with the intention of not proceeding further with the matter this session; but he did so with very great regret, knowing the responsibility the Government were accepting.

Mr. SHEEHAN said the statement of his honorable friend was very different from the statement he gave the House that time twelve months. Then there was nothing to be done but to abolish the provinces. The honorable member said it was not even necessary to have a Local Government Bill, for the Road Boards could do the work. Now that Ministers had got the work into their own hands they found they must increase their number. None would object to a Minister of Education or to a Minister of Mines. He would like to see the Commissioner of Customs be Minister of Mines in addition to his present office; for the honorable gentleman seemed to have a pretty easy time of it. He had a well-organized department, which ran like so much machinery, and he supposed the honorable gentleman could act as Minister of Mines also. No honorable gentleman would be better qualified for Minister of Education than his honorable friend the Minister of Justice; but the House did not want to increase the number of Ministers. He believed Ministers made a mistake in one direction. No one could deny that the Minister for Public Works had been a most hard-working man; but he thought the honorable gentleman did a good deal of work that he ought to leave to his Under Secretary and clerks. Ministers generally ought to do less clerks' work, and leave all detail work to the Under Secretaries and their staffs. If they followed that course, they would not be so overlaid with work as they were at present.

Mr. HAMLIN would like to have heard the honorable gentleman who moved the second read-

ing of the Bill give some explanation as to what the Government proposed to do with respect to the offices which would be vacated at the rising of Parliament. They would be proroguing in a few days, almost hours, and it was not fair that the Government should not take the House into their confidence as to who would carry on the government of the country during the recess.

Mr. LUMSDEN was surprised that the Premier should so hastily abandon the proposal to appoint an additional Minister. A large amount of additional administrative work would result from the Abolition proposals, and that would have induced him to support the appointment of an additional Minister. He could hardly see how the Government would get through the large amount of additional work which would have to be undertaken at the end of the session without Ministerial assistance. The honorable member for Auckland City East had spoken of the great number of Civil servants in the employ of the provinces who would be absorbed in the service of the colony; and surely that was a good reason why there should be additional Ministerial supervision. It would, at any rate, be judicious to appoint a Minister for Education, although the members for the gold field districts were anxious to see a Minister of Mines appointed. He thought, however, that the educational interest more immediately belonged to the heart of the whole people than the mining industry, which was, if he might say so, local in its character. There were other interests quite as important, and as much entitled to special representation in the Ministry, as the mining industry. It would be quite as justifiable to appoint a Minister for Agriculture. It was the custom of members representing mining districts to believe that the mining industry was paramount; but that was altogether a mistaken idea. He hoped the Bill would be read a second time.

Mr. ANDREW said Ministers seemed to be very unfortunate in the manner in which they had brought this Bill forward. They had brought it forward at a late period of the session, apparently without feeling the temper of the House, and now, having felt the temper of the House, and found it adverse, they were prepared to withdraw it in an unfortunate manner. It was unfortunate for themselves and the country, if the case really were so, that they should have told the House, just as they were going to take charge of the ship of State during the recess, that unless they had another mate they would be underhanded. It seemed to him that they should resign at once, instead of taking control of a vessel for which they had not a crew sufficient to work efficiently and safely till the next Parliament.

Progress reported, and leave given to sit again.

NEW ZEALAND CONSOLIDATED STOCK BILL.

Major ATKINSON, in moving the second reading of this Bill, said it had for a long time been pointed out that colonial debentures were very inconvenient to investors, from the risk of their having to take custody of the bonds. It was well known to honorable members who had

attended to the matter, that it had for a long time been under the consideration of all those persons who took an interest in the welfare of the colonies. Mr. Westgarth, of the London Stock Exchange, had been urging the matter for some years; but the various Colonial Governments had not up to the present time seen their way to enter into any such arrangement. Canada had a sort of inscribed stock; but their system was not at all efficient, because they had no power to re-issue debentures when the stock had been once inscribed. This subject was brought prominently under the notice of Sir Julius Vogel when in England, he being told that £200,000 would have been invested in New Zealand securities, but for the fact that the trustees would be responsible for the safe custody of the bonds. This induced Sir Julius Vogel to inquire into the matter; and after he had had a good deal of conversation with gentlemen interested in the subject, he opened negotiations with the Bank of England, the Colonial Office, and Treasury; and, as honorable members would see, after a large amount of trouble, the negotiation was carried to a successful issue, as far as it was possible for him to carry it. The Imperial Government consented to introduce a Bill into Parliament, giving the Bank of England power to deal with this subject, and to place our stock on a similar footing to the Consolidated Stock of England and the Metropolitan Board of Works stock, in the remission of certificates through the post, and matters of a like nature. There was also some talk of permitting trustees to invest in it; but that matter was not settled, and it was finally determined not to introduce such a clause, as it might endanger the passage of the Bill. There was no doubt, however, that when our stock was inscribed, under the management of the Bank of England, we should very soon obtain permission from the Lord Chancellor for trust funds being invested in that stock. The advantages of such a proceeding as was now proposed would be evident to honorable gentlemen who had read the papers on the subject. As he had already stated, one of the great objections private investors had to investing in our loans was that the bonds might be lost, and then, if they were trustees, they would be responsible for the loss. By inscribing the stock, the fear and risk of loss were entirely obviated. A person could have his name inscribed on the books, and he then had no document to take care of. Again, if he desired to obtain what was calculated for speculation and sale on the market, he could go to the Bank and obtain a certificate, which was transferable to bearer. Thus, by inscription, both purposes were answered—safe custody in the one case, and, in the other, power to the owner, upon application, to obtain any amount of stock for speculative purposes on the Stock Exchange. Honorable members would see that this was a very great advantage, and must necessarily make stock so inscribed much more popular, and consequently raise its value. The direct advantage to the colony upon loans already issued would not be very great, so far as immediate relief went; because all payments now made on these loans would still have to continue until

the whole were inscribed. The cost to the colony would therefore be a little more until the inscription took place. Honorable gentlemen would see that the proposition was that the Bank of England should do all the work of inscription for a payment of £600 per million on the stock inscribed up to the first ten million pounds, and after that £550 per million; but the colony was in any case to guarantee a minimum payment of £2,500 per annum. The colony was paying at present for the payment of interest on £1,000,000 of its stock $\frac{1}{2}$ per cent. on that interest—that was to say on £45,000 a year, supposing it, for convenience sake, to be a 5 per cent. loan. That was £112 10s. per £1,000,000. But when the colony came to pay off loans, if the present arrangement were continued, it would have to pay £5,000 per £1,000,000. The Bank of England undertook to pay them off for £1,000 per £1,000,000; but that arrangement, of course, would not come into operation for some years. The colony had also, on the issue of new loans, to pay to the Crown Agents, in addition to what it paid to them as Loan Agents, $\frac{1}{2}$ per cent. That represented an annual payment of £125 per £1,000,000. That, of course, would also be a saving on any new loans; but as the colony had paid that amount on the loans now out, it would not be a saving so far. The actual relief to the colony upon the matter of the payment of the loans that were out would not be immediate; but the relief would be immediate upon any loan that they were about to issue. Should the stock be all inscribed, they would of course be relieved of the payment of sinking fund. It was the intention of the Government, should the Bill pass as it at present stood, not to propose to continue the sinking fund. They would propose the inscription of stock simply, without a sinking fund. If that were done, it would of course be a very great saving to the colony immediately. He did not propose to enter into or discuss the question of the wisdom or unwisdom of a sinking fund. If the whole of their stock was inscribed, honorable gentlemen would see that the colony would at once derive a very great immediate and direct advantage, for there would be an annual saving of about £180,000, now paid for sinking fund. Supposing they were to carry out this proposal, they would not be able to do away with the sinking fund on the loans that were now out. As long as there was a single bond of those loans in the hands of the public, they would have to continue payment of the sinking fund, and interest on that sinking fund. That payment would have to be maintained until every bond of every loan having a sinking fund had been converted, but then a large part of this would be a payment to themselves. It was proposed that the persons having their stock converted should pay the expenses of the conversion. The Government did not think that there was any necessity at all to pay the expense of the conversion upon transfer; but this could be commuted for one payment, 7s. 6d. per cent., which, on new loan, the Government proposed to pay. Honorable members were aware that inscribed stocks were subject to a stamp duty of 10s., or $\frac{1}{2}$ per cent. The Government did not think it would be

advisable to charge any fees for the transference of the stock. Of course, if the House thought it better, they could impose a small fee, so as to recoup themselves the money which they were paying to the Bank of England; but this would, in the opinion of the Government, be a mistake. All the duties were proposed to be performed by the Bank of England for the £600 a year for the million which he had mentioned. It was thought that it would make the stock much more popular if they charged no fees at all. He thought those were the main features of the Bill. He would move that the Bill be read a second time.

Mr. MONTGOMERY thought it must be allowed by honorable members that this was a very inopportune period of the session to deal with a Bill of such magnitude. The Bill proposed to give power to convert £20,000,000 of stock. It authorized the Government to appoint Agents for that purpose, and it also authorized those Agents to delegate their powers to other agents. Those were important features with respect to the advantages to be derived. He thought the honorable gentleman was correct in saying that they would not soon show themselves. Whatever advantage it might be in improving the tone of the stock, it would not be very much advantage in the shape of money to the colony. That was quite true. This matter had been considered by other colonies that had stock on the London market. He might instance the Colony of Victoria. When Sir Julius Vogel came out to Victoria he communicated with the Government there, and pointed out to them the advantages to be derived from the inscription of stock and its management through the Bank of England. He (Mr. Montgomery) wished to draw the attention of the House to the statement made by the Treasurer of Victoria on the 25th July last, as it would be instructive, and food for some thought. He said,—

“I am aware that the New Zealand Government have made arrangements with the Bank of England to negotiate the loan of that colony by means of inscribed stock in London. I thought it would be a most desirable thing if we could possibly take advantage of the same course, and negotiate our loan through the Bank of England by means of inscribed stock, if it could be done satisfactorily. I caused the fullest inquiries to be made in England as to what effect it would have on our loan to negotiate it in that way, whether it would be more desirable to take that course than to continue the system of debentures which we have hitherto adopted. I got full information from various sources on this subject—perfectly disinterested information, no doubt; and the weight of evidence was against any change being made from the present system of issuing debentures. This was strongly represented to the Government; and I think that, taking all the circumstances into consideration, we would not have felt ourselves justified in proposing to make any such important change at the present time. We felt that it would be risking more than we were justified in doing, and therefore we decided to continue the system hitherto adopted of issuing the loan through the associated banks of the colony.”

He then went on to say that he had made a new arrangement for the proposed issue of the new loan, and said,—

“At the present time our 4 per cent. debentures are quoted at 98½ and 99, exclusive of the interest due upon them—about three and a half or four months’ interest. The debentures are worth in London about 97½ or 98, which is a very satisfactory price.”

He (Mr. Montgomery) ventured to say that the value of our stock in London would depend upon the opinion of the holders of these debentures or of the people who wished to lend money—the opinion which they might form as to our resources, on the amount of loan which the colony places on the London market from time to time, and not on the fact of the loan being in the hands of the Bank of England or any other bank. With regard to this very large transaction, he would wish honorable gentlemen to consider what power they were going to give to their Agents at Home at the end of the session. The object of this Bill was to convert our present stock and to issue fresh stock. He understood the honorable gentleman to say that he would do away with the sinking fund—that the fresh stock was not to carry sinking fund. The honorable gentleman further stated that there would be none of this sinking fund set free until every debenture outstanding had been converted. He (Mr. Montgomery) would instance the amount of debentures outstanding upon the Christchurch Loan. There was £77,000 of outstanding debentures upon that loan, and they had to pay interest and sinking fund just the same as if there were £250,000; the interest and sinking fund must go on the same. They would have no immediate relief in the shape of interest paid to sinking fund, nor would they get hold of that sinking fund until the last debenture was called in. The sinking fund was resorted to when a country was hard up, and no doubt, in time of pressure, it might be better to do that than anything else. He would point out what the Treasurer no doubt had seen, that if the Bank of England paid our interest, the money to pay the interest and sinking fund must be lodged in the Bank a month before the date of payment; so that if he adopted this course this year or next year, he would require to have five quarters in the year. Upon the whole, although this Bill might have good features, it could only be of importance after the Act which was sought to be obtained from the British Parliament had been passed. The payment of stamp duties was a matter of great moment; for if they had to pay ½ per cent. stamp duty, it would be a very serious expense. Therefore he thought the Bill might very well be held over until the next session of Parliament. With reference to the question of issuing the bonds for the million loan which had been referred to, that would entirely rest with the opinions of the people at Home as to the financial position of the colony; and he trusted that the mere hope that the bonds for that loan would be more easily negotiated—the prospect of the stock being completed as proposed—would not induce honorable members

to support the Bill. He hoped that the House would consider that at this period of the session it would not be right to force a Bill through of this enormous magnitude; and he was quite sure the Government would be acting wisely if they were to give more time for the consideration of this matter, and not do a thing hastily which they might repent of afterwards. He hoped the Bill would not be read a second time, and that the Government would withdraw it.

Mr. STEVENS did not agree with the remarks of his honorable friend who had just spoken. He was not at all alarmed at the extent of the operations, because he found from examination of the Bill that there was no possibility, as far as he understood, of its leading to any harm. Whether the objects of the Bill were carried into effect by Agents appointed or by their delegates, he thought no possible injury could result to the colony by the passing of this measure, or by the authorization of the process now proposed to be undertaken. Neither did he think that a greater annual charge in the long run would be placed upon the colony. As he did not agree with the objections of the honorable member, and as he believed no possible harm could be done, and considered that a considerable amount of good might result from the operation proposed, he felt disposed to support the Bill. He could not agree with what the honorable member said, and he certainly could not agree that the opinion of the Colonial Treasurer of Victoria was necessarily a guide to this colony. He did not see the application of the quotation the honorable member made from the speech of the Colonial Treasurer of Victoria, in which he referred to the price of bonds of that colony and of the bonds of New Zealand. The difference was very easily accounted for, and it arose from this: that the public debt of Victoria was a feather-weight, in relation to their population, as compared with the debt of New Zealand. It had nothing whatever to do with the inscription of stock. His honorable friend quoted a portion of the speech as if it had some application to the question; but all he could gather from it was that the Colonial Treasurer of Victoria thought there must be a risk in the conversion of stock; but he did not say what that risk was, or what injury could result. He desired to call the attention of the House to the view taken of sinking funds by some honorable members. He believed it would be an exceedingly good thing if they were to dispense with sinking funds and place the borrowing operations of the colony in the future upon the same system which had guided their more recent operations, instead of attaching to them a sinking fund. There was not the slightest analogy between the case under discussion and that of the Lyttelton and Christchurch Railway bonds. Ever since the colony had its credit established by Mr. Speaker when he went to England on a mission in 1867–68, they had adopted a totally different principle from the one which prevailed previously to that time. They had no right to call their Sinking Fund by that name at all, for it was a sinking fund by annual drawings; and he submitted that under the Bill the sinking fund might be practically

released, that sinking fund was now for a large part in the hands of the colony in the shape of cancelled bonds. The position, if he understood it rightly, was this: The sinking fund was in the hands of the colony itself, and, under the circumstances proposed to be created by this Bill, the sinking fund might be practically released by conversion, notwithstanding the view which his honorable friend took. A very large amount of bonds had already been cancelled by the sinking fund, and he believed the Colonial Treasurer would correct him if he was wrong. He intended to give his very earnest support to the second reading of the Bill, believing as he did, as he had previously stated, that no possible harm could arise from it, but a very large amount of good might ensue. He was glad to find that the Government proposed to make some charge for the inscription of bonds now outstanding. Those bonds were taken upon the understanding that there would be no such operation as this applied to them.

Mr. REES did not agree with the remark which fell from the honorable member who had last spoken in relation to the cancellation of stock, debentures, or bonds, whatever they might be called, and the operations of the sinking fund. He was sure the House would like to have some information from the Colonial Treasurer in respect to that fact, inasmuch as, if that was the case, the House still allocated interest upon those bonds every year. If they were carrying interest, how could they be cancelled? The mere running of a pen across them and making them non-transferable, was not cancelling them if they still carried interest. It amounted to this: The colony would have £500,000 of debentures lodged in the Treasury, and they would be called "cancelled" because they were not transferable; but interest was to be paid upon them. If that was the case, they were not cancelled. They were just the same, for the purpose of cancellation of yearly moneys, as if they stood to the credit of John Smith, in the Bank of New South Wales. But if they were actually cancelled, no interest would be paid upon them, and the yearly payment of interest would be reduced by so much. He did not see what benefit the colony would get out of this Bill; but a very great deal of expense would be likely to arise out of it in commissions, charges, and things of that sort, not only in respect to the Bank of England, but through bartering away one sort of scrip for another, and receiving stock at the Bank of England. The colony would be placed at considerable cost and charge while this process was going on. This was one of the schemes of Sir Julius Vogel, and the colony had had quite enough of these schemes of that honorable gentleman. There was the South Sea scheme, which broke down; the Forest scheme, which was repealed a little time ago by an overwhelming majority of the House: in fact, the bottom had fallen out of most of his schemes. This matter, which the House did not understand, was purely a matter of finance, which, upon the face of it, would increase the annual charges by a large portion of the payments to be made to the Bank of England. It was a scheme

which other people were not so anxious to run after as they seemed to be. It would put in the hands of Agents, to be appointed by the Governor, an enormous power to make money for themselves in the transferring of stock. These people would have charges, expenses, and costs for the transfers, and they would have power to appoint other agents, which was a most dangerous thing: it would be like the position the Ministry occupied, for the House did not know who were to be the Ministry after the Assembly rose, and they did not know who the Agents were to be, and still less who the sub-agents were to be. This was not a proper time to bring forward a Bill of this sort. Before such a Bill was brought down to the House or proposed to the Assembly, it ought to be considered by the Public Accounts Committee. It ought to be considered, he thought, by that Committee or by a Special Committee, at which the advantages of the scheme could be fully canvassed, and evidence taken of financiers and persons skilled in finance, so that a report might be brought to the House, showing in the first instance whether or not the project was likely to be useful to the Colony of New Zealand, or its finances; and, secondly, to what extent that profit would accrue or inure to the colony itself. But the Bill was brought down in a very bold manner. No explanation was given of it, except that by the Colonial Treasurer, and he very much doubted if the honorable gentleman knew what the consequences of the Bill would be, or the cost that would be involved in its operation. It had been brought down within a few hours of the rising of the House, and it sought to give power to the Governor in Council to deal with and transfer twenty millions of stock—placing it entirely beyond the control of the House, for the Governor in Council was not accountable to the House, neither would be the Agents, or Agents' agents, that were to be appointed. That was not a thing which should be asked from the House; and although, on a cursory examination, the honorable member for Christchurch (Mr. Stevens), whom they all knew to be to some extent skilled in finance, gave in his adherence to it, yet if the honorable gentleman, as a member of the Public Accounts Committee, had considered the Bill, he, with others, would have placed such restrictions upon it as would seem to be required by the circumstances. He hoped the Ministry would not push the Act through. It could not be of any great advantage, and there could not be any crying evil that required to be remedied; and he hoped that the House, under the circumstances, seeing that the Bill dealt with the credit and the public debt of the colony, would not rush blindly into the scheme, which it was very probable, if they did go into, they would wish they had never entered upon at all.

Mr. ANDREW had but a few words to say with reference to the Bill. He entertained a great respect for the opinions on finance of the honorable member for Akaroa and the honorable member for Christchurch; but on this occasion those honorable gentlemen seemed to differ, so he must form his own judgment. The honorable member for Christchurch said he could see no

possible harm or danger to the colony that could arise from this Bill becoming law. Looking at clause 5 he saw a very possible danger. The clause was as follows:—

“Nothing in this Act shall authorize an increase of the capital or of the annual charge of any loan, except that where securities exchanged for new stock bear a higher rate of interest than the stock, an additional amount of stock may be created and issued to make up the difference in saleable value between the securities and the stock.”

He saw a very considerable danger in this, not to the annual charge on the colony, but to the amount of capital for which the colony would become liable, and which would ultimately have to be paid. Supposing the new stock were raised at a time when our securities were not in such high esteem as they were when the original stock was raised, they might have to pledge a greater proportionate amount of capital to get rid of, by conversion, the same amount of interest due on the old stock. So that although they might have to pay only the same amount of interest, yet it would be on a very much larger amount of capital, to be ultimately a charge on the resources of the colony. At that late period of the session, and considering that the advantages conferred by the Bill were infinitesimal, it would be as well to postpone it till next session.

Major ATKINSON, in reply to the remarks of the honorable member for Akaroa, said he had very great respect for the Treasurer of Victoria, but he was not at all inclined to be guided by his decision in this matter, for the very good reason that he had entirely different grounds upon which to go. If his honorable friend the member for Akaroa had read a little further, or had really looked into the matter, he would have seen that the decision of the Treasurer of Victoria was founded upon other grounds, that it was impossible to get their stock inscribed for the particular loan they wanted; amongst others, was the fact that he wanted money immediately. He was also in the hands of six banks. It was all very well to say that he was free to make arrangements outside those banks. Any gentleman who was in the hands of his banker, as it was phrased, was quite at liberty to make an arrangement elsewhere, but it was not always convenient to do so. Therefore he declined to be guided by an extract which gave no true indication of the reason which induced the Victorian Treasurer to come to his decision.

Mr. MONTGOMERY said the Victorian Treasurer was not in the hands of the banks. He had a balance at the Treasury.

Major ATKINSON said he would not argue about the exact terms. With regard to the sinking fund the bonds for which were not cancelled according to the statement of the honorable member for Auckland City East, he would offer a few words of explanation. The process was this: There was 1 per cent. set apart every year upon such of the loans as had a sinking fund. That was paid to the Sinking Fund Commissioners quarterly, so that the first quarter's interest paid to them was put out by them at interest, and three

quarters' interest was got upon it. Upon the second quarter's interest they got interest for two quarters, upon the third one quarter, and of course upon the last none. Then, once a year the drawing took place, and any bond that was drawn was advertised. Interest upon it ceased after a certain date, and it was called in for payment. It was bought up and was paid for at par. The Commissioners cancelled that bond and put it in their safe, the capital having been paid upon it. The honorable member for Akaroa was entirely wrong when he said the sinking fund would not practically be released. They would suppose that the whole of this loan had been converted, except eight or ten bonds. The process that would be gone through would be this: The interest and sinking fund upon the whole loan would be remitted as he had described, the annual drawing would take place, and the bonds drawn would be called in. Nearly the whole of the bonds called in would, of course, be bonds belonging to the Government, and the Government would receive payment upon them. It was simply a matter of account. If any of the few outstanding bonds were drawn, they would be paid off, and there would be an end of the matter. He trusted the House would not be led away by the remarks of the honorable member for Wairarapa (Mr. Andrew), who had not gone into the subject with any care. He had rushed into the matter on the spur of the moment. As to the honorable member for Akaroa, he had had ample time to look into the matter, and he (Major Atkinson) believed he had looked into it. It was true they had unavoidably delayed this important measure; but honorable members had been expecting it for a considerable time, and he hoped the House would not refuse to pass it this session.

Bill read a second time, committed, reported without amendment, and read a third time.

The House adjourned at a quarter to one o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 27th October, 1876.

First Readings—Second Readings—Third Reading—Te Aute College Estate—Wellington Cemetery—Maori Members' Speeches—Disqualification Bill No. 3—Disqualification Bill—Otago and Wellington Tolls Bill—Interstate Native Succession Bill—Dunedin Drill-shed Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The New Zealand Consolidated Stock Bill, the Milton Athenæum Bill, the Wellington Corporate Lands Bill, the Otago Educational Reserves Bill.

SECOND READINGS.

The New Zealand Loan Bill, the Otago Educational Reserves Bill, the Milton Athenæum Bill.

THIRD READINGS.

The Public Works Bill, the Lyttelton Harbour Board Bill, the Native Reserves Bill, the New Zealand Loan Bill.

TE AUTE COLLEGE ESTATE.

* The Hon. Mr. RUSSELL asked the Hon. the Colonial Secretary, What steps, if any, the Government have taken to carry out the resolution of this Council, passed last session, in regard to the Te Aute College Estate and other educational trusts arising from donations by the Maoris or from the Government? With the permission of the Council, he would read the resolutions to which his question referred:—

“(1.) It is expedient that the main object of the trust—namely, the formation of a school for the aboriginal inhabitants—should be carried out without delay. (2.) That all educational trusts arising from donations by the Maoris or from the Crown to any denomination should be connected with some one of the departments of Government. (3.) That the trustee or trustees of such properties should send in to such department, immediately after the 31st. December of each year, an account of the receipts and expenditure of the past year, with a report of the condition of the school under the trusts, in a form that may be directed to be adopted by the Governor in Council. (4.) That these accounts should be forwarded to the Commissioners of Audit, and their report, together with the reports above referred to, should, at the commencement of each session, be laid before Parliament. (5.) That these reports and abstract accounts should be published annually in the *Waka Maori*, for the information of the Native race.”

* The Hon. Dr. POLLEN was sorry to have to give the honorable gentleman the answer that no steps had been taken in this matter. He was obliged to take partly to himself the blame for that, inasmuch as his memory ought to have been better than it was, and he ought not to have forgotten the fact that resolutions of this kind were adopted by the Council. But he thought he might very fairly plead this excuse: that the whole matter was left to depend upon his individual memory, and that no communication of the opinion of the Council on this subject was made formally to the Government. It would be very convenient, he thought, when resolutions of this kind were adopted by the Council, to move that a copy should be transmitted to the Government. It would then become a matter of record, and no longer depend upon the memory of an individual whether or not any action was to be taken. As in this matter no direction of the kind was given, no communication was made to the Government; and it was owing to that fact that no action had been taken in the matter.

* The Hon. the SPEAKER said that what the Colonial Secretary had just stated might reflect on the conduct of the Speakers of Parliament, if he were not to make some explanation. It was usual, when any resolution like that in question was considered desirable to be brought under the notice of the Government, to mention the fact, and a copy was transmitted to the Government;

and it was his duty to forward a copy of the resolution to the Colonial Secretary on behalf of the Government. He was not aware that there had been any neglect in the matter, or that the failure which had occurred had been owing to any want of attention on the part of the officers of the Council.

* The Hon. Dr. POLLEN hoped the Hon. the Speaker would not think for a moment that he attributed any want of attention to him in the matter. He simply stated the fact, and pointed out what he thought might remedy the defect in the future.

The Hon. Colonel WHITMORE hoped the honorable gentleman representing the Government had himself kept copies and a record of those resolutions of the Council, which members had been content to withdraw on the promise that notice would be taken by the Government. If honorable members were to understand that such was not the case, they would be compelled to press measures to a vote, which otherwise they would not proceed with on receiving a promise from the Government.

The Hon. the SPEAKER suggested that a discussion on the point would be rather out of order, and the honorable gentleman had better make the matter the subject of a resolution.

WELLINGTON CEMETERY.

* The Hon. Mr. WATERHOUSE, in moving the motion standing in his name, said that the desirability of discontinuing intermural burials was a subject that had engaged the attention of politicians in old as well as in new countries. In new countries, of course, it was not of so pressing importance as in old countries. Still, the object was one that had engaged their attention, and in the year 1874 they passed an Act, enabling the Governor in certain cases to interfere with a view to closing cemeteries, and providing other accommodation for the burial of the dead. Until recently, the existence of the practice of intermural burials had not been attended with any very serious consequences in New Zealand; but with the growth of the population it was becoming more and more objectionable. So long as Wellington was a small place, little inconvenience was felt from the existence of the system of burials within the limits of the Corporation; but, as the population had increased, more and more inconvenience, and he thought he might add danger, had been found to be attendant upon the continuance of the system. It had become now in Wellington a matter of pressing urgency that steps should immediately be taken to close the Cemetery with all convenient speed. He had received a communication on this subject from a gentleman in Wellington, well known to honorable members, and, he was sure, respected by every one who had the pleasure of knowing him. He referred to Mr. Allan, the chemist; and, with the permission of the Council, he would read a letter he had received from that gentleman. Mr. Allan, in his letter alluded to a letter he had published in the *New Zealand Times*, in which he said,—

“Where else could be found a town of 12,000

inhabitants continuing, in defiance of all sanitary precautions, to bury their dead at the rate of 400 a year in a graveyard situated nearly in the centre of the town, and surrounded on all sides by human dwellings? Again, it would be almost impossible elsewhere to find a cemetery so singularly unfitted by nature for the purpose as the Wellington cemetery is. The subsoil on the Wellington hills consists of an impervious non-absorbent clay, covered by so thin a layer of earth as to be practically useless for absorbing the products of organic decomposition; consequently these must of necessity find their way into the atmosphere as poisonous gases, or be carried downwards on the surface to a lower level, in the shape of pestilential sewage. One-half of the drainage from the Cemetery finds its way down the natural valley of Sydney and Charlotte Streets on the one side of Government House; while on the other side, down Bowen Street, the other half finds its way to Lambton Quay. The outlets for these two drains pour their contents into the harbour close alongside the new Government Buildings."

There were further remarks in the letter having reference to those observations. Mr. Allan wrote to him on the 16th October, to the following effect:—

"I assure you that I have not overstated the case. A friend of mine informed me that, a month ago, he attended the funeral of an adult who had died of so virulent a disease that the body had to be buried within twenty-four hours of death, and the coffin, as it went down, was heard to plunge into a bed of water. Last summer, a man who had been working in the Cemetery told me that, having occasion to dig a hole a foot or two deep, it filled with water so unutterably fetid that it sent him home to bed sick and vomiting, and he could not go to work for two days. And one who had been a medical student assures me that, passing through the Cemetery when the atmosphere is heavy and muggy, he can distinctly smell the peculiar odour of a dissecting room. Wellington has nearly doubled in population since the necessity of an extramural graveyard was recognized. One could easily be found with the drainage to Evans Bay or Ocean Beach, and be convenient to Te Aro, the future most populous locality of Wellington. Already the danger I have spoken of in my letter has arisen; scarlet fever is increasing. A doctor told a friend of mine that yesterday he had visited thirty cases. Other diseases will follow in its wake. With a hot dry summer, and an increased mortality in prospect, it seems courting disease and death to continue to bury the dead in the heart of the city, close to the Government Buildings, Government House, and the new Government offices, and close to the main thoroughfare of the city, with the drainage deposited into a part of the harbour, which, by enclosure, is becoming a stagnant lake."

Since that letter was written, it was within the knowledge of honorable members that scarlet fever had made still greater progress, and was now becoming a very serious scourge in the city. He would not go so far as to say that the present outbreak of scarlet fever was due to this Cemetery

remaining open, but there was no doubt whatever that the fact of the bodies of persons who had died of scarlet fever being buried in the Cemetery, and the water from that place finding its way into the drainage of the city, must be likely to be attended with most injurious effects. He trusted the Council would adopt this resolution, and that effect would be given to it in as short a time as possible.

Motion made, and question proposed, "That, in the opinion of this Council, it is desirable that immediate steps should be taken for closing the Wellington Cemetery, in the mode prescribed by the Burials Act of 1874."—(*Hon. Mr. Waterhouse.*)

* The Hon. Dr. POLLEN entirely concurred in the object of the resolution. His honorable friend would know that up to the present time it had not been possible for the Governor under the authority of the Act to take any independent action—that it was first necessary that a piece of ground should be provided by the Superintendent of the province outside the limits of the city, and that proper regulations should be made for the management of the burial-ground before the Governor could interfere. In a short time it would be competent for the Governor to act directly in matters of this kind, and then attention would be immediately given to it.

The Hon. Mr. MANTELL said he remembered so distinctly what was stated by the Colonial Secretary when the Act was passed—on which occasion he thought the honorable gentleman gave the Council to understand that the Government would not take any steps under it—that he had not been at all surprised that no steps had been taken. As the Hon. Mr. Waterhouse had said, the evil had of course gone on increasing; and he might add that if, during the session, such a thing as a wet day should occur, honorable members could verify the statements which had been made regarding the state of the Cemetery by walking along the paths and side-cuttings, and observing the oozings from the cesspools called graves which were above the paths. It was a disgrace to a civilized community that a cemetery should be so ill kept, and in such a condition. The present outbreak of scarlet fever, and especially at the College, was not at all attributable to the Cemetery. On the contrary, the information he had on the subject led him to think that the outbreak at the College was attributable to neglect of the merest precautions of cleanliness, not to say of sanitary measures, in the institution itself. Of course, that was a matter into which the Governors of the College should inquire; but he would warn those gentlemen to take the trouble to see that the place was not cleaned up before an investigation was made.

The Hon. Captain FRASER could not understand how it was that the Government should go to large expense to provide a costly residence for the Governor, and should compel His Excellency to inhale the deadly, noxious, and awful gases which came from the graveyard in the vicinity. He recollected protesting against this three sessions ago; and he supposed that when a few members of the Government were carried off,

the cemetery would be removed a greater distance from its present central situation. This was the only town in the world that he knew of in which a graveyard was in the very centre of the town. As long as burials continued to take place there, disease would increase. If a remedy were not found for this before next session, he thought members would refuse to come up to Wellington, and risk their lives by inhaling the deadly gases which emanated from the Cemetery within a few yards of the House.

Motion agreed to.

MAORI MEMBERS' SPEECHES.

* The Hon. Mr. NGATATA, in moving the motion standing in his name, said that he brought it forward with a view of having the speeches of the Maori members in the two Houses of the Legislature published in the Maori language. At present the Maoris outside did not know what the Maori members said within the walls of Parliament. They did not know what things were upheld and what things were disallowed. If the *Waka Maori* were discontinued, how were the Maoris to know what was being done in Parliament? They would be like blind men. He thought the speeches of Maori members as well as those of European members should be published. If the *Waka Maori* were discontinued, then the Maoris outside would not know what was being done by the Parliament. Did the Council understand how to deal with this question? Perhaps some honorable members had seen a letter which appeared in the *New Zealand Times* on Monday from the Rev. Mohi Turei with reference to the *Waka Maori*. It seemed that Mohi was concerned about his people not being made acquainted with what was being done in Parliament owing to the discontinuance of the *Waka Maori*, and therefore he published that letter in the newspaper, so that all the members might see it. If the speeches of the Maori members were published in *Hansard* in the Maori language, then the Maoris would know what was being done in Parliament by their members. For those reasons he had tabled this motion. He would say no more about it, but leave the matter in the hands of the Council. Why he spoke was because that was the Upper House.

* The Hon. Mr. KOHERE seconded the motion. He supported what had fallen from the Hon. Mr. Ngatata. What the Maoris thought most of was the *Waka Maori*; that was their greatest paper, and the medium by which they could ascertain the laws that were being passed. No matter what transpired in the other island and in other parts of the world, it was published in the *Waka Maori*. The new laws that were brought forward were looked for by the Maoris in that paper. The Maoris got their first knowledge from what they read in the *Waka Maori* concerning the laws that were passed. He felt grief because the *Waka Maori* was being discontinued. It was not that it belonged to them individually—it belonged to them all. Therefore he bewailed the loss of this *Waka*, because it was the *Waka* in which the Maoris fished. If the

Waka were broken, then they would have nothing to bear them on in the sea. Therefore he expressed his grief with reference to the discontinuance of the *Waka Maori*.

Motion made, and question proposed, "That, inasmuch as the proceedings of Parliament and the speeches of Maori members are not published in the Maori language in *Hansard*, it is, in the opinion of this Council, very desirable that every facility should be given to the publication and circulation of the *Waka Maori*, so that the Maori people may have some knowledge of what is done in Parliament."—(Hon. Mr. Ngatata.)

* The Hon. Dr. POLLEN said the desire which the honorable gentleman had expressed on the part of the Natives to have their speeches reported in their own language was a very natural one. There were two means of accomplishing it. One was that a *précis* or a report of the speeches as they were delivered should be printed in Maori in the *Hansard*, and thus obtain an official character which would not attach to their publication in a newspaper. The other plan was that which the Hon. Mr. Ngatata had indicated, that the speech should be printed in the *Waka Maori*. The question of the continued existence of the *Waka Maori* was one which depended not upon the Council, but upon the means being found for maintaining it. Whether it would continue for the future, he could not say; but he thought the other alternative might be properly taken; and, while there was an interpreter in the Council, it would be quite competent, whenever the Maori members addressed the Council—and he gave them credit for not speaking except when they had something to say—that their speeches should be reported in the ordinary way in *Hansard*, the Maori words beside the English translation.

The Hon. Captain FRASER wished that a little more attention was paid to the utterances of these loyal gentlemen. The Hon. Mr. Ngatata the other day made a remark which greatly influenced him. The honorable gentleman said that if the *Waka Maori* were discontinued, the Natives would only have the East Coast paper called the *Wananga* to read, and that the result would be that the people would go into rebellion. He (Captain Fraser) would not be at all astonished to see them go into rebellion if such a libellous paper as that were allowed to be published. He was very much surprised that the Government had permitted it so long.

The Hon. Colonel WHITMORE said he was the originator of the *Waka Maori*. It was started at his instance, he having taken the responsibility of ordering it to be published; and for some time he induced the Government to give a small grant in its aid when he was Civil Commissioner on the East Coast. But he was sorry to say that the *Waka Maori* had been degraded into a political engine. Honorable gentlemen had only to read its columns to find that they were alternately fulsomely adulatory of the Native Minister, and as depreciatory of those who held opposite opinions. If the *Waka Maori* were strictly kept as a source of information to the Maoris as to current events, and as a publication of official notifications to the Maori people, or even if it

were used further to extend their knowledge of general literature and to improve their minds, there could be no objection to it. But he thought it was exceedingly objectionable that there should be a newspaper published taking a violent political bias, and employed practically to assist the party, whichever it might happen to be, that was in power at the moment of its publication. At present it was used by some understrapper of the Native Department, who thought he did good for his department by continually putting exceedingly objectionable articles into it—objectionable, because they were the worst form of personal political writing. It was that which had probably caused members in another place to strike the item off the estimates. The Hon. Dr. Pollen had made a suggestion which he was prepared to make himself—that was, that the Maori speeches should be printed in *Hansard* in the Maori language. One race or the other must suffer the disadvantage of not being able to read those speeches; but, after all, he thought it was more important that the Maori speeches should be perpetuated in their own tongue. After all, a good deal was lost in translation, and the Natives received no information from those speeches. He thought the Hon. the Colonial Secretary's suggestion was a wise one; and he was sorry to differ from his honorable friend Mr. Ngatata's argument about the *Waka Maori*. That paper partook too much altogether of party politics to be supported out of Government funds. If it was a perfectly private concern there would be no objection, as he did not know that it took greater liberties than other papers; but it was not right that such a journal should be supported out of public funds.

* The Hon. Mr. HALL agreed with the suggestion of the Colonial Secretary that the Maori members' speeches should be published in *Hansard* in the Maori language. He wished, however, to offer a suggestion as to how that should be carried out. There would be the necessity for translating the speeches, as he supposed they had no reporter to take them down in Maori; and that necessarily would give rise to delay in publishing *Hansard* itself. Further, when it was desired to circulate reports of Maori speeches among Natives, it would be necessary, if they were published in the ordinary *Hansard*, to circulate with them the whole of the English speeches, which, to them, would be a sealed book. He thought, therefore, that if the Maori speeches were reported in a separate *Hansard*, they would be got out more rapidly and could be circulated only where necessary.

The Hon. Mr. MANTELL said there was something practical in the Hon. Mr. Hall's suggestion; but, in the meantime, he thought it would be much better if the Hon. Mr. Ngatata would accept an amendment of his motion, so that it would read, "That the speeches of the Maori members be published in the Maori language in *Hansard*." The speeches published in *Hansard* he understood purported to be the utterances of honorable members in that Council, and not their interpretation, even by reporters: consequently he thought that the very words uttered by the

Maori members should be reported in *Hansard*. Now, what they got at present was, he was sorry to say, a very meagre interpretation of what was said by the Maori members. He was sorry to say that he listened occasionally, with very great pain, to eloquent and sensible addresses from the Maori members, when he found that they reached honorable members in a very meagre and garbled state indeed. Therefore, in Council, as European members corrected their speeches, he thought it was right that honorable members of the Maori race should also have the privilege of correcting their speeches in Maori. As to the translation of the speeches, they were distinguished generally for brevity and common sense; and that brevity would enable any competent translator to interpret them in far less time than he had seen devoted by honorable members to the correction and emendation of their English *Hansard* slips. They might be translated with no appreciable loss of time at all. He thought it was scarcely consistent with the privileges of the Council that, instead of publishing the speeches made by honorable members of the Maori race, they had imperfect and sometimes erroneous translations of the speeches printed in their official reports. He was sorry to make these remarks, because he was aware of the rejoinder that would be made. But he had waited for years for improvement, and he had not yet seen any improvement. He considered it was his duty to the Council to express his great dissatisfaction with the interpretation of the speeches of the Maori members. He would only mention that if it would suit the views of the Hon. Mr. Hall he would make an addition to his amendment so that it would then read as follows:—"That the speeches of the Maori members be printed in the Maori language, with a translation into English, in *Hansard*."

* The Hon. Mr. HALL would like to ask the honorable gentleman how he proposed to get an accurate report of the Maori speeches. Unless they had a reporter who was conversant with the Maori language, he did not see how it was to be done.

The Hon. Mr. MANTELL said that he knew it to be a peculiarity of the Maori to be able to recollect every word that he uttered. He had heard Maoris repeat conversations of great length with absolute accuracy. It was a peculiarity of the nation, and he thought the Maori members might be safely trusted to supply their own speeches.

The Hon. Mr. NGATATA would accept what the Hon. Mr. Mantell proposed. He did not wish to speak at any length, as the European members did. It was not necessary that the Maoris should speak at any length. He consented to the amendment of the Hon. Mr. Mantell, that the speeches of the Maori members should be published in the Blue Books, and not in the *Waka Maori*.

Amendment agreed to.

DISQUALIFICATION BILL No. 3.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it made, as the title showed, another effort for better securing

the freedom and independence of Parliament. It did not appear that the many efforts which had already been made for that purpose had effected a result that could be called completely satisfactory. The Bill proposed to repeal "The Disqualification Act, 1870," the Amendment Acts of 1875 and 1876, and section 7 of "The Civil List Act, 1873." The Bill went on to declare the usual provision that a member of the Legislative Council could not be elected to the House of Representatives, and that a member of the House of Representatives was not capable of being summoned to the Legislative Council. The next was the usual prohibition to any person having a seat in either House accepting any office, or employment, or gift from the Government. The exemptions were specified in the 5th clause. Another provision, which was new, was contained in the 6th clause, which prevented any person, being a member of the House of Representatives or of the Council, from accepting any office in the gift of the Government within a period of twelve months after he ceased to be a member. The 7th clause disqualified contractors. He need not refer to any of the others, as they were of the usual character, excepting the 14th and last. That clause provided,—

"No member of the Civil Service of New Zealand shall, whilst he is such member or for the period of six months thereafter, be capable of being summoned to or of holding a seat in the Legislative Council, or of sitting or voting as a member of the said Council."

This clause was intended, he supposed, to provide against the evils which had been found to result from the presence of members of the Civil Service in a Ministerial capacity in that Council. As the most shocking examples were to be found in the persons of his friend Mr. Gisborne and himself, he was not prepared to say whether or not the evils resulting from their being summoned to the Council had been found in practice to be so great as to render necessary the making of special provision against the recurrence of them. He would move that the Bill be read a second time.

* The Hon. Colonel WHITMORE thought that this was a very valuable Bill, and he gave the Government great credit for bringing it down. There was nothing in it which he disliked. He had given notice of an amendment, but he would be guided by the course of the debate as to whether or not he would press it. He was sorry it was not embodied in the Bill, but it was thought that at that period of the session the introduction of an amendment might have the effect of discharging the Bill. He could not help saying that he thought the value to the public of those provincial officers who, for a number of years, had held office in the provinces was such that probably it would be found, at least in some instances, that their services would be sought for by the Government. He thought their position should be regulated by Parliament, and especially provided for. He thought great injustice might be done unless special provision was so made. In some provincial districts it would be found that

the experience and practical knowledge of many of those honorable gentlemen could not be replaced by anybody else. He felt that every honorable gentleman would only be too happy to say that they had gained a great addition to the Council in the honorable gentleman who now represented the Government there, and who had alluded to a particular clause in this Bill. Also with regard to the other gentleman who had been appointed to the Council, he thought it would be admitted that there was never any objection to him on personal grounds; but on public grounds, he did not think there had ever been so great a liberty taken with the Constitution, or anything so grossly wrong in this colony before. They saw the Under Secretary of the Prime Minister one day leave his office and appear in Parliament sitting side by side with the opponents of that honorable gentleman the next; and yet they were to suppose that up to that moment politics had never dawned in that honorable gentleman's mind. Only a few months before that they had laid before them an exhaustive pamphlet dilating upon the necessity of political purity in the Civil Service. But that was not the end of it—they all knew how much further it went. The Hon. the Speaker was obliged to withdraw in Committee a motion which he had made for the excision of a clause in a certain Bill, and honorable gentlemen were called upon not to suspect the Government of doing anything wrong. He thought it would be well if Civil servants would stick to the line of life which they had marked out for themselves, and not think of a future political career at all; in fact they should abandon all hope of obtaining seats in the Ministry till they retired from the Civil Service. There was one of the ablest men in England, John Stuart Mill, a man who had probably the greatest capacity for political discussions and comprehension of political subjects; but he never moved in active politics until he retired from the Civil Service on his pension, and then it was found that he was not a very valuable acquisition to the ranks of a political party. It was because the Hon. Dr. Pollen was much more a model settler than an average specimen of the Civil servant that he was enabled to give such valuable advice to the Council. The true Civil servant who had given up his life to the service was not, as a rule, an acquisition to the ranks of any party. He did not think it would do good to allow officers in the Civil Service to join the Government.

* The Hon. Mr. WATERHOUSE could not, like the honorable gentleman who had last spoken, congratulate the Government on having brought up this measure. The Bill had not been introduced by Government, but had been brought in with the view of carrying out certain resolutions that were adopted by the Committee of the other branch of the Legislature; and he thought the members of the other House deserved credit for having taken the first opportunity of giving effect to what undoubtedly must be the feeling of the people at large in the matter of preserving the purity of Parliament. The Hon. Colonel Whitmore had given notice of a very important amendment which he intended to

move when the Bill was in Committee. Ho (Mr. Waterhouse) was in favour of that amendment. He thought that the Superintendents of provinces and members of the Executive Councils had some claim upon the kindly consideration of the Government. Many of those men had special aptitude for conducting public business; and he was of opinion, therefore, that the Government might, in the interest of the colony, retain their services. On general grounds, he would support the amendment, if he did not fear that it would imperil the Bill. What would influence him in voting on the amendment would be the action taken by the Government themselves in reference to it. If the Hon. the Colonial Secretary felt himself in a position to assure the House that if this amendment were adopted the Government would do all in their power to secure its passing and to secure the return of the Bill to the Council, he would be happy to give it his support; but if that promise was not given, he would not be inclined to support it. In conclusion, he might say that generally he agreed that members of the Civil Service should not be withdrawn from the Civil Service to take positions in the Ministry, after going through the ordeal of election. At the same time, he thought that, in the past, the system had been rather beneficial than otherwise.

The Hon. Captain FRASER would oppose the amendment unless the Council received an assurance from the Hon. the Colonial Secretary that the amendment would be supported in another place.

The Hon. Mr. ROBINSON would act in the same way, though he was very anxious that the Bill should become law. He did not see why lawyers should be particularly exempted under this Act. The Government had a great deal of legal business, and he thought that there would be a great deal of temptation thrown in the way.

The Hon. Mr. MANTELL would not detain the Council for any length of time. He would simply express his dissatisfaction with the 13th clause of the Bill. He thought it was an impertinence to the Native members to make such a provision with regard to them. He would oppose the clause.

The Hon. Colonel KENNY thought that a most extraordinary appeal had been made to the Ministry when they were asked to pledge themselves that certain amendments in the Bill would receive support in another place. He hoped that the Council would always act independently of any such pledge in any other place. He hoped that the Government would neither compromise themselves nor the Council by giving any such pledge.

The Hon. Dr. GRACE regretted that the Hon. Mr. Ngata was not present, to give his opinion on the Bill. He presumed that the Council would have to accept the measure as it was, whether they understood it or not. He was inclined to support the amendment which the Hon. Colonel Whitmore had given notice of. It occurred to him that, before he sat down, he should refer to the appointment of a certain

member of the Civil Service to the Ministry and a seat in that Council. At the time this took place, a new Ministry was being formed, and there were very few persons to be found who were suitable for the office of Colonial Secretary; and the most fitting man who could be found happening to be a member of the Civil Service, he was selected.

* The Hon. Mr. HALL had, in the early days of our parliamentary history, seen Civil servants sitting in the other branch of the Legislature, and he also knew of Civil servants having been appointed to seats in the Council; and, from experience, he believed he could say that some of the most valuable members of Parliament they had had been taken from the Civil Service. No one who remembered Mr. Domett would forget his perfect independence and great ability. He believed that former Parliaments in which Civil servants were not precluded from having seats, would compare favourably with any that had existed since.

The Hon. Dr. POLLEN said, with reference to the appeal which had been made by his honorable friend Colonel Whitmore regarding his amendment, that he would be prepared to accept that amendment when it was proposed in Committee. He agreed that the Government should have authority to avail themselves of the services of any of the provincial officers; and he thought that, if the services of such officers were accepted, they should be exempt from any consequences of disqualification.

Bill read a second time.

DISQUALIFICATION BILL.

This Bill was considered in Committee.

Clause 5.—Who are to be exempt from last preceding section.

* The Hon. Mr. HALL moved, That subsection 7, as follows be erased from the clause:—“Any barrister or solicitor of the Supreme Court, or registered medical practitioner, accepting any fees or reward for acting for or on behalf of Her Majesty the Queen, or the Governor or the Government of New Zealand, or any officer of such Government, in any suit, action, or proceeding, civil or criminal, or as a medical practitioner.”

Question put, “That the words proposed to be left out stand part of the clause;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	9
Majority for	...	...	...	...	7

AYES.

Captain Baillie,	Mr. Paterson,
Mr. Campbell,	Mr. Pharazyn,
Captain Fraser,	Dr. Pollen,
Mr. Holmes,	Mr. Rhodes,
Mr. G. E. Johnson,	Mr. Russell,
Mr. J. Johnston,	Mr. Stokes,
Mr. Mantell,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore.

NOES.

Mr. Bonar,	Mr. Lehmann,
Colonel Brett,	Mr. Peter,
Mr. Edwards,	Sir J. L. C. Richardson,
Mr. Hall,	Mr. Scotland.
Lieut.-Colonel Kenny,	

The amendment was consequently negated.

Clause 6.—Disqualification of members for a period of six months after ceasing to be members.

The Hon. Sir J. L. C. RICHARDSON moved the insertion of the following, as a subsection:—“Any person being a Superintendent of any province, or any member of any Provincial Executive Council, who shall have been such Superintendent or member of Executive Council during the whole of the present session of Parliament, and who shall be holding such office at the time of the complete coming into force of ‘The Abolition of Provinces Act, 1875.’”

Question put, “That the words proposed to be added be so added;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	7
Majority for	...	...	...	...	10

AYES.

Captain Baillie,	Mr. Lehmann,
Colonel Brett,	Mr. Paterson,
Mr. Edwards,	Mr. Peter,
Mr. Hall,	Mr. Pharasyn,
Mr. Hart,	Dr. Pollen,
Mr. Holmes,	Mr. Rhodes,
Mr. G. R. Johnson,	Sir J. L. C. Richardson,
Mr. J. Johnston,	Mr. Russell.
Lieut.-Colonel Kenny,	

NOES.

Captain Fraser,	Mr. Stokes,
Mr. Mantell,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore.
Mr. Scotland,	

The amendment was consequently agreed to.

The Bill was reported to the Council with amendments, which were agreed to, and the Bill read a third time.

OTAGO AND WELLINGTON TOLLS BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said this was not a Government Bill; its objects were purely of a local character. The matter might be dealt with in future by the local bodies the machinery for which had been provided this session, but still it was said to be of some importance that it should be disposed of at the present time. It proposed to amend two Provincial Ordinances. As far as Otago was concerned, the necessity for legislation upon the subject arose out of the wording of a part of “The Turnpike Ordinance 1866 Amendment Ordinance, 1875,” of the Otago Provincial Council. The error was in the 4th section of the schedule to that Ordinance, which was as follows:—

“For every horse or other beast (two oxen or neat cattle to count as one horse) drawing any wagon, wain, or other such like conveyance, if the total number shall exceed eight horses, or what is hereby made equivalent to eight horses, two shillings.”

The mistake was that a wagon drawn by more than eight horses would have to pay 2s. each horse, instead of 1s., which was the toll charge by the previous clause of the schedule. In consequence of the peculiar wording of the clause, a team of ten horses would be required, and had been required, to pay £1 as toll, the payment intended being 12s. only. It was for the purpose of correcting that, as far as regarded Otago, that this Bill was now introduced. Honorable members would recollect that the Council endeavoured last session to remedy some defects found to exist in the Wellington Highways Tolls Act; but it appeared they did not quite succeed in making the net sufficiently close to prevent all the little fishes slipping out of it. There appeared to be a great deal of ingenuity exercised in the Province of Wellington in evading the payment of tolls. It would appear that, taking advantage of the looseness of the wording of the Act of last year, some people were in the habit of taking horses out of the teams and putting them behind the carts, and so evading the payment of tolls, inasmuch as the Act provided that the tolls should only be charged according to the number of animals drawing the vehicle. Some people also appeared to be in the habit of attaching several carts together and taking them through the toll-gate, and thereby offending against the peace and order of our sovereign lady the Queen, and defrauding the toll-keepers. This was, he understood, what they were asked to remedy by this Bill.

The Hon. Mr. WATERHOUSE regretted that the Colonial Secretary was not better up in the facts regarding this Bill than appeared to be the case from the speech he had just made. He was entirely in error as regarded the necessity that existed for an amendment of the law relating to tolls in the Province of Wellington. The necessity for readjustment arose out of a blunder in the Act which was passed through the General Legislature last session. In consequence of the wording of that Act, some outrageous sums had to be paid for tolls. For instance, teams of five horses had to pay 15s. at each toll-gate, and the result of that was that the price of goods which had to be conveyed over a long distance was very materially increased. It arose entirely out of a mistake in the schedule, and had acted most injuriously upon the traffic of the province, although very beneficial, of course, to the toll-gate keeper. The Government, by the exercise of powers which they possessed, came to an arrangement with the toll-gate keepers, and the result was that they undertook to maintain the tolls in force up to that time. Now, with regard to the schedule of this Bill, he was not quite satisfied that the tolls levied were the same which were being levied at the present moment. He thought that before the Bill was passed through all its stages inquiry should be made, so that there

should be no repetition of the mistake of last session. He would call attention likewise to the fact that the 4th clause appeared to go further than was intended. Under the 4th clause, the scales of tolls would be arbitrary throughout Otago and Wellington, as there was no power whatever of altering them. In the Counties Bill, the power of levying tolls was given to the County Boards, and the power of deciding what these tolls should be; but in this Bill it was distinctly stated that the tolls mentioned in the Bill should be in force in the Provinces of Wellington and Otago.

Bill read a second time.

INTESTATE NATIVES SUCCESSION BILL.

*The Hon. Dr. POLLEN, in moving the second reading of this Bill, said that legislation upon the subject of intestate Native succession was not a new one in that Council. So far back as the year 1861, there was passed the Intestate Natives Succession Act. That Act gave the Governor power, in cases of the decease of any person intestate, with respect to whom the right of succession was necessary to be determined, to appoint a Commissioner to inquire into the circumstances; and the Act gave power to the Governor in Council, upon the report of the Commissioner, to declare the succession and to issue a Crown grant of any land in question to the persons entitled. This Act was repealed by "The Native Lands Act, 1865," by which other provision was made under the direction of the Native Lands Court for ascertaining succession in such cases. That Act of 1865, along with some Acts enacted subsequently, was repealed by "The Native Lands Act, 1873," which, however, made very narrow provision for dealing with this large subject. The terms were confined altogether to landed estate, and dealt only with land which in some shape or another had passed or was passing through the Native Land Court. No general provision had been made for dealing with intestate estates of Natives. A good many of the Natives were now becoming wealthy, holding land by grant direct from the Crown, and many were holders of considerable personal property. Their peculiar domestic arrangements made the question of descent often one of considerable difficulty; and circumstances had arisen lately which attracted the attention of the Government very forcibly to the necessity of making some provision for settling the question of succession in these intestate estates. Recently, at the Thames, a Native died possessed of a very considerable estate. He was a very careful old gentleman, and it was found that he had a sum of £7,000 standing to his credit in one of the banks at the Thames. He had children, one of whom was married to a European; and when a claim to succession was sent in, it was found that, as the deceased had not been married, the Supreme Court would not grant the letters of administration. That was a difficulty which, under the circumstances, ought to be met; and it was for the purpose of meeting such cases that this Act was

proposed to be brought into force. It was proposed that whenever a question arose as to succession in the intestate estate of a Native regarding land as well as personal effects, the Native Land Court should have power to make inquiries, and to determine the case in the same way as it had the power of determining that question under "The Native Lands Act, 1873," in relation to land passed or passing through the Court.

The Hon. Colonel WHITMORE thought that this was a good Bill, and one that would meet an acknowledged want. He thought the Government deserved credit for bringing it in, although he must say, in regard to all these important Bills dealing with a very large amount of private property, that it would be better if they were introduced at an early period of the session, so that full time might be given to consider them. If that were the case, they would not have so much trouble afterwards in reconsidering amending Acts of the kind. He had given notice of certain amendments which he intended to move in Committee, because, although the Bill was a very good one, yet it had some little imperfections which he had discovered, and there might be others which had escaped his notice. Those amendments had been printed on the Order Paper, in order that honorable gentlemen might have full notice of what was intended to be done by them. It was becoming a very difficult matter indeed for the Natives to ascertain the real state of the law on this subject, and he attributed that to the habit which had been fallen into of bringing in Native Bills. He thought he would be able to remedy one of the defects of the Act of 1873 by the first amendment which he would propose. His second amendment would provide that trustees should be appointed to hold the property of infant Maoris; and this would be a step in the right direction, because at present there was nobody to take charge of the estates of infants of the Native race. The consequence of this was that the property of an infant did not accumulate till it became of age, as was the case with Europeans. It was not desirable to increase the number of officials in regard to Native matters, and the Resident Magistrates in the various districts might be appointed to act as trustees. His fourth amendment was to the effect that a deed could be executed before a solicitor of the Supreme Court, instead of, as now, a Resident Magistrate or Judge of the Native Land Court. Some objection might be taken to this; but it should be borne in mind that a solicitor of the Supreme Court was directly responsible for his actions, inasmuch as he was liable to be struck off the roll if he committed any fraud or was justly chargeable with any negligence which amounted to a crime deserving of chastisement. He would, however, be willing to modify that if any honorable gentleman could suggest anything better. It occurred to him that a solicitor of the Supreme Court was a more responsible person than a Justice of the Peace. He would support the second reading of the Bill, and in Committee would move the amendments which he had given notice of.

The Hon. Captain FRASER intended to support the Bill, but was sorry he could not support the amendments of the Hon. Colonel Whitmore, with the exception of the last of them. He had endeavoured to see his way through the matter; but it was one of those intricate Maori difficulties which he could not wade through and understand. Therefore he thought he would be justified in taking the opinion of a gentleman outside the Council on the amendments. That gentleman's opinion was to the effect that the clauses proposed to be added to the Intestate Natives Succession Act were irrelevant to the Bill, and that they also intermeddled with three other Bills, with which the Bill on the Order Paper had nothing to do. He would therefore vote for the last amendment, but not for the others.

* The Hon. Mr. STOKES would support the Bill. He would not have risen to speak on this subject but for the remarks the Hon. Colonel Whitmore had made in speaking of the amendments he intended to move. He thought that the proper time to consider these clauses would be when the Bill was in Committee. He agreed with the opinion which his honorable friend Captain Fraser had read—namely, that the amendments referred to matters altogether foreign to the Act. He thought it would be highly dangerous to introduce into one Act, by a sort of side-wind, clauses which had reference to another Act. He held, further, that it would be exceedingly inconvenient, at this late period of the session, to enter into matters of such importance.

* The Hon. Dr. POLLEN was glad to see that the Council recognized the policy of reading the Bill a second time. He could not accept the Hon. Colonel Whitmore's amendments, for this reason: that they referred not to this Bill, but to no less than three other Acts of the Legislature, which, by a side-wind, they proposed, he would not say to amend, but to affect. The amendments affected the Native Lands Act, the Maori Real Estate Management Act, and the Native Lands Frauds Prevention Act. Now, if any one of those Acts required to be amended at all, it ought to be done specifically. He did not understand what relation the so-called amendments could be said to have to a Bill of this kind.

Bill read a second time, considered in Committee, reported with amendments, which were agreed to, and Bill read a third time.

DUNEDIN DRILL-SHED BILL.

This Bill was considered in Committee.

Clause 14.—On failure of trust, lands to be held as endowments for purposes of museum, &c.

The Hon. Dr. POLLEN moved, That all the words between the word "disbanded," in the 51st line, and the word "and," in the 53rd line, be erased from the clause.

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	15
Majority against...					6

AYES.

Captain Baillie,
Colonel Brett,
Captain Fraser,
Mr. Hall,
Mr. Holmes,

Mr. Mantell,
Mr. Paterson,
Mr. Scotland,
Mr. Waterhouse.

NOES.

Mr. Bonar,
Mr. Edwards,
Dr. Grace,
Mr. Gray,
Mr. Hart,
Mr. G. R. Johnson,
Mr. J. Johnston,
Mr. Lahmann,

Mr. Nurse,
Mr. Peter,
Mr. Pharazyn,
Dr. Pollen,
Mr. Russell,
Mr. Stokes,
Colonel Whitmore.

The amendment was consequently carried.

The Hon. Dr. POLLEN moved, That all the words after the word "in," in the 55th line, be omitted, for the purpose of inserting the following:—"Her Majesty the Queen, and shall be and shall become part of the demesne lands of the Crown."

Question put, "That the words proposed to be omitted do stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	15
Majority against ...					6

AYES.

Colonel Brett,
Captain Fraser,
Dr. Grace,
Mr. Holmes,
Mr. Paterson,

Mr. Peter,
Sir J. L. C. Richardson,
Mr. Scotland,
Mr. Waterhouse.

NOES.

Captain Baillie,
Mr. Bonar,
Mr. Edwards,
Mr. Gray,
Mr. Hall,
Mr. Hart,
Mr. G. R. Johnson,
Mr. J. Johnston,

Mr. Lahmann,
Mr. Pharazyn,
Dr. Pollen,
Mr. Robinson,
Mr. Russell,
Mr. Stokes,
Colonel Whitmore.

The amendment was consequently agreed to.

Bill reported with amendments, which were agreed to, and Bill read a third time.

The Council adjourned at five minutes past eleven o'clock.

HOUSE OF REPRESENTATIVES.

Friday, 27th October, 1876.

First Reading—Second Reading—Third Readings—Bill Discharged—Adjournment—Counties Bill—Ratiki Settlement—East Coast Natives' Sheep—Raleigh Town Board—Sentry Hill, Inglewood Railway—San Francisco Mail Service—Disqualification Bill—Sartorius, Downe and Others Claim Bill—School of Mines—J. Goodfellow—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

The Native Reserves Bill.

SECOND READING.

The Auckland Beach Road Grants Bill.

THIRD READINGS.

The Auckland Beach Road Grants Bill, the Douglas Crown Grants Bill.

BILL DISCHARGED.

The Registration of Electors Bill.

ADJOURNMENT.

Major ATKINSON.—I move, That this House, at its rising, do adjourn until to-morrow at eleven o'clock.

Mr. J. C. BROWN.—I wish the Premier to state when the prorogation will take place.

Mr. WHITAKER.—The prorogation will take place immediately upon the completion of the business by the officers of the House; probably on Monday.

Mr. T. KELLY.—I move, as an amendment, the addition of the words, That leave be granted to the Select Committees to sit during the sitting of the House.

Mr. REYNOLDS.—I wish to know whether, in case the Appropriation Act is passed to-morrow, any new business will be introduced.

Major ATKINSON.—It is difficult to say what "new business" may mean. We will introduce nothing that will take advantage of the absence of members. We shall certainly proceed with nothing new except to complete some business that may require to be completed.

Mr. REYNOLDS.—I have not the least idea that the Government will introduce any new business; but it is just possible that some honorable members may wish to introduce some new business. The question is, whether the Government will resist the introduction of new business.

Major ATKINSON.—Yes, decidedly.

Mr. SHEEHAN.—There is an impression abroad that the Government desire to introduce the Canterbury leasing clauses into the Waste Lands Bill. There are certain members pledged not to leave to-morrow unless an answer is given that this will not be attempted.

Major ATKINSON.—I cannot give such an assurance at the present time. The Government are of opinion that a very great injustice has been done to Canterbury by the striking out of

these clauses. If the Legislative Council should re-insert those clauses, the Government would ask the House to agree to them. To-morrow, I shall be able to make a definite statement of what the Government propose to do: I will make the course of the Government quite clear.

Mr. REYNOLDS.—After the remarks of the honorable member, there is no necessity for the House to resume its sittings at eleven o'clock to-morrow. If there is the least chance of this question being brought up again, I think it will be advisable for honorable members to remain here. I feel very strongly on this point. If the Government are going to reverse the decision come to by this House, I shall oppose them to the utmost. If they aid in reviving this question, and if honorable members propose a vote of want of confidence in the Government, I shall support it. The decision was fairly come to, and the Government would not be doing right in attempting to reverse it.

Major ATKINSON.—I do not understand what the honorable member means. I have stated that no attempt will be made to deceive this House in the matter. I hope the Bill will be down to-morrow, when the Government will state the course it intends to pursue. If honorable gentlemen think it necessary to stop another week, by all means let us do so. The question may never arise; if it does arise, honorable gentlemen can oppose the clauses should they be re-inserted. I simply undertake that the House shall know at the earliest possible time what course the Government propose to take in the matter.

Mr. SWANSON.—I think the Government ought to tell us at once whether the clauses—which were negatived after a great contest, and after the fiercest system of whipping-up that ever I saw on any question—are going to be reintroduced.

Mr. WHITAKER.—There is no intention on the part of the Government to revive this question in any shape or way whatever. The matter is now before the Legislative Council. If they choose to make amendments in the Bill, whether by inserting the clauses about which there has been so much dispute or any other clauses, it will be the duty of the House to take those amendments into consideration. That must be done. The Bill itself is an important one, and it must be passed in some shape before the Assembly breaks up. That being necessary, if these clauses are sent down, whether in the shape they were before or in a new form, they will have to be considered by this House. Supposing they come down in the shape which carries out the Government's views, it will be the duty, as a matter of course, of the Government to support them. I cannot conceive that the Government can have any other duty than that, and I presume that they would be playing false altogether if they did not act in that way. They do not intend in any shape to assist in bringing these clauses back again, or to have the question reconsidered in any way whatever; but if these clauses in the course of business come down, how is it possible for the Government, after having supported them before, not to do so again? So far as the Go-

vernment are concerned, they will afford the House the fullest opportunity of discussing the question if it should arise. Supposing to-day the Legislative Council put these clauses back into the Bill or inserted any other clauses to the like effect, then to-morrow the subject can be considered by the House; and if it is disposed of, then the House can break up and members go away. On the other hand, if the Legislative Council do not put any such clauses into the Bill, then the question will never arise at all, for the Government will not bring it on. The matter will drop, and there will be no reason why this House should not break up and members go away. The steamers are kept for that purpose. There will be nothing whatever done by the Government to entrap the House, or to get any clauses passed without an opportunity for full discussion. Every precaution will be taken that there shall be no surprise. The principal object of the House sitting to-morrow is in reference to the Bills which I am about to bring before the House presently—the Municipal Corporations Bill, the Rating Bill, and the amendments in the Counties Bill. Very important amendments have been made in these Bills, some of which I am sure this House will not agree to; and in case a conference is necessary, it may take place at eleven to-morrow, or such other time as the House may think fit. The Waste Lands Bill may come down this evening or to-morrow morning, and be submitted to the House; and if it becomes necessary that the House should sit next week, the steamers will have to go without members. The House may rely that no kind of advantage will be attempted to be taken by the Government, but everything will be straightforward and above-board.

Sir G. GREY.—It is now distinctly admitted by the Government that they are in a minority in the Upper House; that they cannot carry measures through that House. I ask whether they are going to retain their seats under these circumstances, or whether it is not the duty of the Government to have a majority in both Houses.

Mr. WHITAKER rose to speak.

Mr. SPEAKER said the honorable member had already spoken.

Mr. WHITAKER had intended to answer the honorable gentleman's question. However, the honorable member's own common sense ought to answer the question for him.

Mr. DE LAUTOUE.—I think there was never a clearer indication offered to the Legislative Council than that which is now offered them to put these clauses in the Bill again. The Legislative Council are asked to put the clauses in. The Government take advantage of members wishing to get away, to force the leasing clauses through the House by recruits from Canterbury, who arrived to-day by steamer. The Government were not acting fairly, because I and others agreed to give a modified opposition to the Bill, and the Government agreed to take a decision upon one clause, and so we arrived at the decision. Had it not been for that, the Bill would not have passed this House at all. The Government gave us their word, and we hold them to it.

Mr. ROLLESTON.—My impression of what passed that night is this: There is no doubt that a majority of one or two were got on that occasion, but I must say that I and a considerable number of others were taken very much by surprise at the time these clauses came on; and a considerable number of members were absent, who, if present, would have made the minority a majority on that occasion. I say this distinctly, to be put on record, that, far from being an attempt to snatch a victory on our part, had the division not been snatched as it was, the majority would have been on the side on which I voted. It is quite possible, at this stage of the session, for a few members who have got a victory to keep it, because it is well known that the House will naturally prorogue very shortly, and there is a great disposition upon the part of members to abstain from doing that which is selfish, and to consult the wishes of a majority of this House as to getting away as soon as possible. I venture to think, when the honorable member for Rodney got up that night and got the promise from the Government to take the decision then, that a parliamentary mistake was made. It so happened that at that time the matter came on very suddenly, and the division was taken very adroit advantage of by the honorable member. I wish to say this: I believe the House, by that decision, has done a considerable wrong; and I am quite satisfied that if honorable members knew the extent of that wrong, they would not have been a party to it. For my own part, I should consider myself perfectly entitled to take any steps I can for the interests of people who will suffer great personal loss, and have a great wrong inflicted upon them, to bring about a different result. I think a wrong has been done, and I am very sorry to hear such expressions of opinion from honorable gentlemen, like the honorable member for Port Chalmers, upon this subject. I think the House should be prepared to consider the question upon its merits, and I think that, up to the present time, it has not been decided upon its merits.

Mr. REES.—I am surprised to hear the honorable member for Avon hold forth in the way he has done. The honorable member consented to this proposal; he wanted to push it on as well as anybody. He thought he had a majority, but he found he had not. I saw the honorable member go over and obtain one vote after the bell had been rung. I saw the honorable gentleman go to the Maori members and obtain one vote which I knew had been promised to the other side. Much to the surprise of honorable members, that vote was given for the clause, or the majority against it would have been four. If this should be admitted to be reconsidered now, I should like to know what becomes of the prodigious indignation from the Government benches, and from the Canterbury members, as to the statement that there was an agreement between them? What is the country to think? If these clauses come back here, and the House has to give opposition to them, it will give it; and I for one am perfectly prepared to do it. I want to get home as much as any one. It is absolutely necessary for

me to leave to attend to my own private matters; and I am sure my own personal enjoyment would claim as much; but if we are to be forced in this way, I am prepared to sit here for one month or three months, for the purpose of stopping it. It was stated early in the session that we would resist the proposal to grant a perpetuity of licenses, and to grant an absolutely firm tenure of these runs; and it was added that it was believed there was an understanding between the Canterbury members and the Government, and that some arrangement between them had been made. But that was denied. The honorable member for Waikato and others have been perpetually preaching of the power of the majority, and that there was a moral bond upon members of this House to obey the voice of the majority directly it was given. We have heard very much of this bowing to the will of the majority. The Government absolutely consented, and the members from Canterbury absolutely consented, to be bound by the division the other evening—to be bound by the verdict of a majority then taken. By the consent of all parts of the House, the debate ceased, a vote was taken, and I venture to say that the whole feeling of the country is in favour of the majority upon that occasion. Now, we have the Postmaster-General saying that, if the Upper House overrule a majority of this House, the Government is prepared to support the other House. I never heard of such a thing in constitutional government in my life. The Government themselves agreed to it. If any man gives his word of honor, he ought to stick to it. I am astonished that men should lend themselves to such a proceeding, after they had given their words. Why, among Englishmen and among gentlemen—

Mr. WHITAKER.—The honorable gentleman's statement is utterly inconsistent with truth.

Mr. REES.—I have heard a great many statements from the honorable gentleman upon different subjects that were not correct. I would put it to honorable members whether the Government did not absolutely consent to that arrangement. What did the honorable member mean by getting up and saying I told an untruth? It is against the hearing of every one's ears, and the seeing of every one's eyes, to say that what I have stated is not the fact. I do not know whether the honorable member was present, but if he was, he ought to know better than to get up and contradict everybody in this House; and if he was not present, he has no right to get up and say I am stating an untruth. I appeal to everyone whether what I say is not correct.

Major ATKINSON.—I was present, and made the arrangement, but I made no such arrangement as the honorable gentleman states.

Mr. REES.—I state distinctly, upon my word, that in Committee the honorable gentleman consented to be bound by the verdict of the Committee. I appeal to every man who was present whether the honorable gentleman did not consent to be bound by the verdict of the Committee upon one of the clauses. I say distinctly that any man who denies that statement flies in the face of every person who was present in this

House—I do not care who he is. I have heard the honorable gentleman deny other things. I have heard him make statements in this House—and they are in *Hansard*—that cannot be proved, but can be disproved. I have heard him deny other things which can be proved. I do not know how a man holding such a position can dare to transgress the ordinary rules which men are bound by. It is simply to do what? To cover the position which they have taken up, and which they feel to be shameful. They wish now to cloak it over. I know that nine out of ten of the members of the Committee will bear out what I say. I hardly know how to express my feelings upon such a matter. The Government stated distinctly that they would be bound by the result of the Committee's decision, and now, because they have an inkling that the other House will insert the clauses, they say that they will do what they can to give effect to the action of the Upper House. I wonder if the Premier or the Postmaster-General would place what they said on affidavit?

Mr. WHITAKER.—Unquestionably.

Mr. REES.—I question whether the honorable member for Waikato was present.

Mr. WHITAKER.—I was a party to the arrangement.

Mr. REES.—The honorable gentleman was a party to the arrangement! Then he ought to stand to the result. Every one knows that an arrangement was made, and the Government agreed to be bound by it, simply because they thought the Government had a majority. But it turned out that they had not, and now they want to go round. I wish honorable members to mark these words: I state openly that I believe the Government are perfectly capable of doing anything of this sort. The sooner a number of gentlemen in this House are got rid of, or compelled to alter their tone, the better it will be for the morality of the country. This transaction is believed to be at the root of the consistent adhesion of the Canterbury members all through the session. It is believed in this House, and believed in the country. I stated that at the beginning of the session, and I say it now. If the Government attempt to overthrow the decision of the Committee, I will undertake to set up an opposition they will not get over, if any one will assist me. The thing is bad enough in itself; but as a league between the Government and an influential section of this House, it is calculated to bring representative institutions into disgrace, and to destroy that feeling of confidence in this House, without which it is absolutely impossible that the Government of the country can be carried on.

Mr. BOWEN.—The honorable gentleman has very nearly deafened us by shouting out a charge I did not exactly understand.

Mr. REES.—Hear, hear.

Mr. BOWEN.—I certainly did not understand the charge; but I understand this: that if it comes to a question of fact as between my honorable friend the Premier and the honorable gentleman, whose statements are unsupported by anything but mere assertion, I think the House will certainly not be in a very great hurry to take his

word against the Premier's. I have not said very much hitherto about this question of the Canterbury runs, because I did not care to repeat what has been said over and over again; but I will repeat this, and everybody who is acquainted with the circumstances of the case says this, that the proposition made by the Government was fair, just, and very necessary. It was in the interest, not of a class, but of the whole province—of the whole colony. For we cannot legislate so as to create a disaster in one part of the country without doing general mischief. Those honorable members who voted against this provision knew nothing about the matter; and I say, further, that I am exceedingly surprised at the attitude taken up by honorable members from Otago, who have been especially anxious that the Land Fund should be dealt with by the particular provincial districts to which it belongs. When they find that the members from the Province of Canterbury are almost unanimously of opinion that a certain provision is necessary, honorable gentlemen should not interfere and say they will not allow it to be made, or accuse everybody who has supported it of entering into a compact which would be absolutely iniquitous. Now, what is the case? The Canterbury members, with the exception of the honorable member for Avon, and one or two others, have throughout supported the Government upon the Abolition question; but, as a rule, they have by no means followed the Government on other questions. We know that, because of course we watch how honorable members vote. As I have already stated, the clauses were put into the Bill because the whole of Canterbury thought them necessary. We told the House so when the Bill was under consideration; and we did our best to carry them. The question, however, has now gone to the other branch of the Legislature, and the Government have not interfered further in the matter. Honorable members have gone out of their way to ask what the Government will do in the event of a certain contingency, and the Government simply say, "We shall adhere to our position and do what we consider right if the matter again comes before the House in any shape." That is the only possible position the Government can take. With regard to an understanding or agreement, honorable gentlemen opposite must be perfectly well aware that even where persons may have every desire to act fairly and honestly, there may be such a thing as a misunderstanding; but it is perfectly monstrous to use such language as the honorable member for Auckland City East has just used. I am afraid if I were to characterize that language as it ought to be characterized, I should transgress parliamentary rule.

Mr. REES.—I have no objection whatever.

Mr. BOWEN.—No, Sir; but I have a request for this House which perhaps the honorable gentleman has not; and I shall content myself by saying that the language used by him in regard to the Government and the Canterbury members is absolutely unjustifiable.

Mr. HAMLIN.—I move the adjournment of the debate. I do so for two reasons. Firstly, it is apparent that the Government have forgotten

the terms of the promise they made, and which has been so strongly alluded to; and, secondly, I wish to see the Bill after it comes down from the Legislative Council. There is no member of this House more anxious to return home than I am; but rather than a question which has been already decided by this House should be defeated at the last moment, I would stay here six months.

Mr. SPEAKER.—On an occasion such as this, it is desirable that honorable members should confine themselves as nearly as possible to giving reasons for the adjournment of the debate, otherwise we shall have to debate the whole question over again; because if any latitude were allowed in the case of one member, it must, as a matter of fairness, be accorded to others.

Mr. HAMLIN.—I merely wished, Sir, to see the debate adjourned, in order that we should have more time to properly consider the amendments made. Under all the circumstances, it would be better that the Government should instruct the agents of the steamers not to detain them any longer; for we are not likely to get away for a few weeks yet, if any attempt is to be made to upset the decision fairly and honestly come to in this House. I move the adjournment of the debate.

Mr. SHEEHAN.—I shall support the adjournment, because I think we ought to know the result of the proceedings elsewhere before we proceed any further.

Mr. GIBBS.—I hope the debate will not be adjourned. It is true the clauses were struck out by a Committee of this House, but I do not think the matter was so fairly debated as it ought to be. Something has been said about the majority having decided the question, and an arrangement having been arrived at.

Mr. SPEAKER.—I must request the honorable member to confine himself to the question of adjournment.

Mr. GIBBS.—If I may not refer to the question which gave rise to this discussion, I must, of course, withhold the remarks I wished to make.

Mr. REYNOLDS.—I shall support the adjournment of the debate, inasmuch as certain statements have been made which I should like to refer to on a future occasion. The honorable member for Avon has stated that he was taken by surprise. As far as I am concerned, I may state that I mentioned—

Mr. STAFFORD.—If the honorable gentleman is to be allowed to debate the question, we must insist upon the right to debate it also.

Mr. SPEAKER.—I have already warned honorable members of the danger likely to follow upon departure from the strict rule which I think should be observed at this stage of the session.

Mr. REYNOLDS.—Of course, Sir, if I am out of order I will sit down at once; but I may say that when the honorable member for Coleridge brought down his Bill, I distinctly stated that I was opposed to dealing with this question at all this session; and I also went on to say—

Mr. STAFFORD.—I must ask you, Sir, to state whether members are to be confined to the question of adjournment, or whether we are to

be allowed to reopen the whole question. The honorable member is clearly doing so.

Mr. SPEAKER.—I think that the honorable member for Port Chalmers must see that he is making statements which necessarily must lead to a debate. I trust the honorable gentleman will adhere as rigidly as possible to the rule which requires that upon the question of adjournment of a debate, reasons for the adjournment only should be given.

Mr. REYNOLDS.—I do not see that I can say anything if I am not permitted to give my reasons for voting for the adjournment. My intention was not to open debatable matter. I mentioned to the honorable member for Avon, before the debate commenced, that there was a majority against these clauses. Therefore there could be no surprise, seeing I told him the action I was going to take. There is another reason why I think the debate should be adjourned, and that is because the Government have intimated that in the event of the Upper House again inserting these clauses with regard to the Canterbury leases, Ministers will feel themselves bound to support what they previously brought down to the House. Such being the case, there is likely to be a long discussion; and it would be far better that this motion should not be carried till such time as the House is aware whether the clauses are going to be reinserted by the other branch of the Legislature. I have many other things to say, but I do not wish to open the debate again. I merely wish to state, in supporting the adjournment, that I am prepared to remain here for another month, if necessary, although at great personal inconvenience, to prevent these clauses being passed.

Major ATKINSON.—I think we are rather wasting time over this matter. It appears to me we have raised up a "bogey"—if I may use the expression. If the House desires it, I shall not object to the adjournment of the debate until we have a little more knowledge of what is likely to take place. It seems to me we should agree to the adjournment of the House until to-morrow, because that will put us in a position of being able to deal more rapidly with the question when it comes before us. Honorable members appear anxious to discuss the question, and some are determined, if certain measures come before the House, to fight the matter out thoroughly. That is quite a proper course to pursue, and I do not raise the least objection to it; but if we are desirous of bringing the business of the session to a close, I think we should adjourn until to-morrow, when we should really know what we have to do. I would suggest to the House that neither party would be affected as to its position by agreeing to the motion under discussion, whereas it would be very inconvenient to adjourn the debate indefinitely. If honorable members think they would be in a better position by considering the question presently, let it be so; but I submit that our position would be better to-morrow.

Mr. DE LAUTOUR.—I would suggest that the debate should be adjourned until half-past seven o'clock.

Major ATKINSON.—I will accept that suggestion.

Debate adjourned.

The motion for the adjournment of the House on its rising to 11 a.m. next day was subsequently agreed to.

COUNTIES BILL.

The House went into Committee to consider the amendments made by the Legislative Council in this Bill.

Schedule 1.—Description of counties.

Mr. WHITAKER moved, That the amendments made by the Legislative Council in the description of the Amuri County be disagreed to.

Question put, "That the amendments be disagreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	38
Majority against	...	...	...	...	17

AYES.

Major Atkinson,	Mr. Richardson,
Mr. Barff,	Mr. Rowe,
Mr. Bowen,	Mr. Seymour,
Mr. Bryce,	Mr. Stevens,
Mr. Fitzroy,	Mr. Teeschemaker,
Mr. Gibbs,	Mr. Wakefield,
Mr. Hunter,	Mr. Whitaker,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Kennedy,	<i>Tellers.</i>
Mr. G. McLean,	Mr. Baigent,
Mr. Reid,	Mr. Button.

NOES.

Mr. Andrew,	Mr. Murray-Aynaley,
Mr. Brandon,	Mr. Nahe,
Mr. J. C. Brown,	Mr. Pearce,
Mr. Bunney,	Mr. Pyke,
Mr. Carrington,	Mr. Rees,
Mr. De Lautour,	Mr. Rolleston,
Mr. Dignan,	Mr. Seaton,
Sir R. Douglas,	Mr. Shrimaki,
Mr. Fisher,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. Tawiti,
Mr. Hislop,	Mr. Thomson,
Mr. Hodgkinson,	Mr. Tole,
Mr. Johnston,	Mr. Tribe,
Mr. Joyce,	Mr. Williams,
Mr. Kelly,	Mr. W. Wood.
Captain Kenny,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Sheehan,
Mr. Lusk,	Mr. Wason.
Mr. Montgomery,	

The amendments were consequently agreed to. Mr. WHITAKER moved, That the amendments made by the Legislative Council in regard to the boundaries of the Clutha County be agreed to.

Question put, "That the amendments be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	38
Noes	...	...	...	...	19
Majority for	...	...	...	...	9

AYES.

Mr. Andrew,
Major Atkinson,
Mr. Barff,
Mr. Brandon,
Mr. Carrington,
Mr. Curtis,
Sir R. Douglas,
Mr. Hamlin,
Mr. Henry,
Mr. Hislop,
Mr. Johnston,
Mr. Joyce,
Mr. Kennedy,
Mr. Lunsden,
Mr. Lusk,

Mr. Manders,
Mr. G. McLean,
Mr. Ormond,
Mr. Richardson,
Mr. Sharp,
Mr. Shrimski,
Mr. Tawiti,
Mr. Wakefield,
Mr. Whitaker,
Mr. Williams,
Mr. Woolcock.

Tellers.

Mr. Kelly,
Mr. W. Wood.

NOES.

Mr. J. C. Brown,
Mr. Bunny,
Mr. De Lautour,
Mr. Fisher,
Mr. Gibbs,
Captain Kenny,
Mr. Montgomery,
Mr. Murray-Aynsley,
Mr. Reynolds,
Mr. Rolleston,

Mr. Rowe,
Mr. Seaton,
Mr. Takamoana,
Mr. Techemaker,
Mr. Thomson,
Mr. Tribe,
Mr. Wason.

Tellers.

Mr. Burns,
Mr. Pyke.

The amendments were consequently agreed to.

The CHAIRMAN reported to the House that certain of the amendments had been agreed to, and that certain other amendments had been disagreed to.

The report was agreed to, and Mr. Bowen, Mr. Seymour, and Mr. Whitaker were appointed a Committee to draw up reasons for disagreeing with certain amendments made by the Legislative Council.

KATIKATI SETTLEMENT.

Mr. O'ROKE asked the Government, Whether, with a view of strengthening the Katikati settlement, they will reserve another block of 10,000 acres in that neighbourhood for small capitalists, of the class introduced by Mr. Vesey Stewart; the land to be paid for either under a special agreement, or by the immigrants themselves, under the deferred-payment system sanctioned by this House? When the House was in Committee on the Waste Lands Bill, he was very much gratified to hear the remarks of his honorable friend the Premier to the effect that he for one was in favour of establishing special settlements. He (Mr. O'Roke) would have been glad if the same feeling pervaded the minds of the other members of the Ministry, as there was a general impression throughout the colony in favour of such settlements. With regard to the particular special settlement in question which was established by Mr. Stewart, he (Mr. O'Roke) was a member of the Government at the time it was taken in hand, and he had a most persistent opposition in the matter from his late colleagues, especially the Colonial Secretary, for what reason he knew not. The people who had been brought out there were not the people who skulked about the towns doing nothing, but people who went straight to the settlement and set to work at

once as good colonists. It was one of the characteristics of the people who came from the same country as he did, that they desired to bring out their friends also to their new home; and he had made a kind of promise that they should have 100,000 acres of land additional as soon as they had *bona fide* settled on the land they had already got. Although Ministers were not in favour of granting the land on the same terms as the original block, still he thought they should reserve the additional block for settlement, provided something was paid for it. 10,000 acres ought to fetch £5,000 or £6,000; but that would be a very small matter as compared with the benefit that would be conferred upon the colony.

Mr. BARFF wished to ask Mr. Speaker whether there was not a Standing Order which prevented honorable members raising debatable matter when putting a question to the Government. Reference was made by the honorable member for Onehunga, in putting his question, to a statement by the Premier as to his being in favour of the establishment of special settlements, and following upon that, the honorable gentleman said he believed there was a general impression throughout the colony in favour of the establishment of these settlements. That was opening up a very wide field for discussion; and if the question were raised in such a way that it could be debated, he for one would be quite prepared to meet the honorable member, and show that such was not by any means the case.

Mr. SPEAKER said the honorable member for Hokitika was quite correct. It was contrary to the usages of Parliament that debatable matter should be introduced in putting a question to Ministers. He did not understand that the sense in which the honorable member for Onehunga was making his remarks would provoke discussion. If it was so, they were out of order.

Major ATKINSON said the Government had received applications with regard to increasing the size of the Katikati Block; and Mr. Stewart had been informed that the extra land might shortly be taken up under the deferred-payment system, if the clauses of the Waste Lands Bill making provision in that respect were carried. That would answer all that Mr. Stewart wanted, and all that the honorable member for Onehunga asked for, in so far as the land would be put up at a fair price. The Government would not be prepared to give the land on the same terms as the original block, but would sell it at a fair price. If the clauses of the Waste Lands Bill were lost, he would make arrangements with Mr. Stewart, under the sanction of the House, to set apart the land at a proper price; but he would not consent to give it away.

EAST COAST NATIVES' SHEEP.

Mr. TOLE asked the Government, What course they intend to take in relation to the acceptance or otherwise of tenders submitted to the Government recently for the boiling down of scabby sheep in Native districts on the East Coast? He believed a reply had been sent to the tenderers in this matter, to the effect that the Government

would not accept any of the tenders until Parliament met, and its opinion had been obtained. He would therefore like to know now, for the information of these tenderers, what the Government intended to do.

Major ATKINSON said the Government proposed to put a sum of £3,000 on the supplementary estimates for the purpose.

RALEIGH TOWN BOARD.

Mr. KELLY asked the Minister for Public Works, Whether the Government will carry into effect the recommendation of the Public Petitions Committee on the petition of F. L. Webster, Chairman of the Raleigh Town Board?

Mr. RICHARDSON, without going further into the reasons, might say the Government were not in a position to carry out the recommendation of the Public Petitions Committee on this subject. When it was proposed that the railway should be constructed to Waitara, it was found necessary that the streets of this town should be interfered with in some way or another. It was a question whether the particular street under notice or another should be shut up. At the time, there were no buildings in this street; and even now there were very few. He thought the people of the town, having got their railway, should be content.

SENTRY HILL-INGLEWOOD RAILWAY.

Mr. KELLY asked the Minister for Public Works, Whether the section of line of railway from Sentry Hill to Inglewood will be open for traffic before winter? Inglewood was quite a new town, as about two years ago the place was covered with forest. The Provincial Government established this township, as it was on the direct line of railway, and the House had ordered that the railway should be completed within a reasonable time. The line was surveyed, and 300 acres of forest land cleared for a township. There were about 1,000 persons on the land, and the settlement was likely to be a prosperous one, provided the line is made between Sentry Hill and Inglewood, a distance of about eight miles. Eighteen months was the time given by the Public Works Department to construct this small portion of railway; in any other part of the colony the time given would be eight or nine months. Settlement was retarded during the winter months in consequence of the bad state of the roads. The cost of carriage of goods to the settlement was £7 per ton, and no settlement could progress under such circumstances. The provincial authorities did not feel justified in making a metalled road to the district, expecting that the railway would be completed. He hoped the Minister for Public Works would be in a position to have the line finished before the winter commenced.

Mr. RICHARDSON said that one of the principal reasons why the additional time was given for the construction of this line was the desire to provide employment for the very people who formed this particular settlement. The Government would endeavour to expedite the work on this contract, with the view of having the line opened before the commencement of next winter.

The cost of transporting the material for the permanent way would be the only additional cost that would be incurred.

SAN FRANCISCO MAIL SERVICE.

Mr. WHITAKER.—Sir, I have to ask the indulgence of the House, in order that I may, without formal notice, place before it the position in which the Californian Mail Service now stands. I do so, because the House will soon break up, and we should come to some definite conclusion before that takes place. I have no further information to afford the House beyond that contained in the printed papers laid on the table. The last telegram is dated 24th October, 1876, and was sent by the Hon. the Postmaster-General of Sydney. It is as follows:—"Gilchrist, Watt, wish Honolulu to be omitted from service, as this would shorten the passage. We regard the proposal with favour; what is your opinion?" As no further light can be thrown on the matter, I propose that the House should come to some definite decision as to what it will agree to, and what it will not agree to. With that view, I have prepared a telegram, containing the precise terms in which we desire to convey to the Government of Sydney and the contractors the decision of this House, in order that there may be no mistake as to what that decision is. I think this telegram is a proper answer to make to the Government of New South Wales on the subject. It is as follows:—

"Parliament has been consulted, and we can only agree to forego present contract on following conditions—viz., thirteen services a year, route from San Francisco to Sydney, calling at Auckland, and omitting Honolulu, to save time, as you desire. This gives you entire benefit of terminus. Subsidy, seventy thousand pounds, leaving two colonies to provide New Zealand coastal service, about £5,000, at joint expense. We cannot consent to Bay of Islands unless the Company will accept £75,000, and satisfactorily provide for the coastal service, as it would be too expensive and inconvenient, your estimate of expense being altogether erroneous. Please communicate decision without delay, as we must at once make arrangements for mails if San Francisco Service be discontinued."

The first question to which I wish to direct attention is the proposal to omit Honolulu. It was at one time thought that a trade would spring up between Honolulu and New Zealand, but honorable members will recollect that a convention has been entered into between the Sandwich Islands and the United States, the result of which is that the trade with the Sandwich Islands has been virtually monopolized by America. Therefore I propose to omit Honolulu, as in reality we derive no benefit from the connection whatever. It causes some considerable delay—a delay of from twenty-four to thirty hours. So far as that question is concerned, I think the House will not have any difficulty in coming to a conclusion. Then I propose that we should take off the hands of the Company the coastal service upon certain terms. I desire to call attention to some paragraphs in the different papers laid before the

House. The last paragraph of the letter, dated 5th August, 1876, from the Vice-President of the Pacific Company, reads thus:—

"We can with safety assert that, with a few alterations about to be made in the vessels to adapt them more fully to the peculiar service, it will be the finest sea route in the world, and, of course, we desire to see some evidence that our efforts are appreciated."

That was followed by a letter, dated the 8th August, from the President of the Pacific Company, in which he states,—

"My opposition was based upon the conviction that the Colonial Governments had established this service in good faith, with a desire which was shared, as I believed—and in this belief I have been confirmed by Mr. Watt's statements—by the merchants and people of the colonies, to make it a permanent and prominent route between the colonies, our country, and the Home Country. The many advantages which the route presents rendered this view of the case reasonable. The situation appeared to be that a contract had been entered into for the performance of a service which was impracticable, and which appears to have been so regarded by the underwriters and best-informed merchants of your colonies; and condemned, when it was made, by the naval officers and seamen of both your own and our country as unsafe. Under the former direction of this Company, an abandonment of this service had been seriously considered, when a modification of the route to the direct O service was permitted, and the service continued."

"The necessities of the case present to my mind the following alternatives:—

"A modification of the route to what is known as the O route, which avoids the difficulties and dangers of the coastal service and the stopping at Fiji.

"The substitution of ships fitted for the coastal service and Fiji navigation, which steamers would scarcely be fit for the long sea service, in place of the popular and able steamers now performing the service.

"Otherwise an abandonment of the service.

"With every desire to meet the Colonial Governments with perfect fairness, assuming, as before stated, that it is their wish to make this a permanent route, and that it is evident to them that, in order to accomplish this, this service must be, as far as possible, both safe to the travelling public and reasonably profitable to the contractors, the interests of the Company will compel me to make an early decision as to which of the alternatives it must accept. Consideration for the safety of life and property, it would seem, should alone have the necessary influence to induce a reasonable change, added to which is the consideration before alluded to, that if the route is to be maintained as a permanent and growing one, it would not be expected that any Government would desire to retain any technical advantages which it might have secured in a negotiation with parties desiring to treat them honorably, through want of knowledge or experience in the service proposed on the part of parties entering into the contract. Considerations so illiberal and narrow as this

would be inconsistent with the development of any enterprise of such public importance as this seems to promise. The case strikes me as so reasonable, and the expressions of approbation of the change are so universal upon the part of all the citizens of your colonies from whom I have heard, that it seems but reasonable that your Government should immediately grant the privilege of the O route, pending the time that may be necessary to secure such action of their respective Parliaments as they may deem necessary. After the foregoing, I need not urge upon you the importance of an early decision of the case. If the cable is working, please communicate by it."

That refers to the Fiji service and the coastal service, to which they object. Telegram No. 10, of the 9th October, 1876, is as follows:—

"Referring to letter twenty-ninth ult.: Please grant permission to our mail steamers *via* Auckland or Bay Islands, pending approval of Parliament of direct service. Otherwise, Pacific Mail Company instruct us to send our mail direct Home to Frisco, as they will not again risk their large vessels on coastal service. Please communicate to this Government your decision, as prompt action is necessary, and we think it is generally admitted that it is most undesirable now to allow this important service to be abandoned."

That seems to be rather a peremptory telegram from Gilchrist, Watt, and Co., to the Postmaster-General of New Zealand. I will now read telegram No. 8, dated 17th October, 1876, from the Hon. the Colonial Secretary, Sydney, to the Hon. the Colonial Secretary, Wellington:—

"17th October, 1876.

"Your parliamentary conditions, as communicated to us on the 14th instant, would render continuance of service by Pacific Company impossible. The Company have telegraphed Gilchrist that they will forfeit penalty, and withdraw entirely, rather than run your coastal service, or undertake any responsibility in connection with it again. This colony will not be content with longer postal time without sharing in savings on subsidy, which, by your proposal, you claim entirely."

In a telegram dated 20th October, 1876, the Colonial Secretary, Sydney, said, "You are already aware that the contractors will rather forfeit penalty than do coastal service." There the matter stands with regard to the coastal service; and I apprehend that from these papers we must draw the inference that, unless the contractors are relieved of the coastal service, the San Francisco service will end. With the view of meeting what I believe to be the views of the House, and in conformity with the wishes of the Sydney Government, I propose to relieve the contractors of the coastal service, on condition that instead of receiving £75,000, they receive £70,000, leaving £5,000 for the coastal service, and New Zealand and New South Wales jointly to pay the cost of it. With reference to the Bay of Islands being made a port of call, I find, upon inquiries, that it would be very inconvenient, and would lead to great additional expense; therefore, I propose, on

behalf of New Zealand, that we should not make the Bay of Islands the port of call. Consequently I have said in the telegram I propose to send,—

“We cannot consent to Bay of Islands, unless Company will accept £75,000 and satisfactorily provide for the coastal service, as it would be too expensive and inconvenient—your estimate of expense being altogether erroneous.”

I think the Sydney Government are rather hard, because they are getting the entire benefit of the terminus, which is a great advantage. On the other hand, they may say, We leave your mails at the place you choose, and we assist in distributing your mails for you. That is a set-off against the terminus. I want the House thoroughly to understand the position in which the matter stands, and the position in which this telegram will place it; for I am very desirous that before the House breaks up, honorable members should have before them the precise position; and I think the time has come when we ought to put before the Sydney Government exactly what we will agree to and what we will not agree to. The Government feel that the proposal I make would be a reasonable arrangement, and therefore I shall send this telegram unless the House now decides that it should not be sent. It is necessary that we should determine the matter, because the agents are very anxious to communicate with San Francisco before the steamer, to start on the 8th November, leaves that port; and unless some arrangement is made, that steamer may not bring the mail. Because it is competent for the contractors to say, “We will discontinue the service, and pay the £25,000 you have fixed as the penalty we have to pay if we do not carry on the service. We stop the service, and here is your £25,000.” There would be inconvenience if the boat did not leave San Francisco on the 8th November, because the mails are on the way to or have arrived in America. They will soon be at San Francisco, and I do not know any means by which we shall be able to get them brought on, for all communication by this route will be shut off. There are no vessels trading between this colony and San Francisco by which the mails could be sent; and the consequence would be that the only means of getting them would be to return them to England, and transmit them by the Suez route or the long-sea route, whichever might be found to be the more convenient. I have said now all I think necessary to state to the House; but if there is any further information I can give, I shall be very happy to do so. Looking at all the papers that have been laid before the House, and with the explanation I have now afforded, I think honorable members are in a position to judge whether or not they should agree with the Government in sending this telegram. I beg to move, “That the House do approve of the proposed telegram in respect to the continuation of the San Francisco Mail Service.”

Mr. STAFFORD.—I do not read those telegrams as the honorable member appears to do with regard to the coastal service, as indicating on the part of the contractors an absolute determination to have nothing to do with any coastal

service. What I read is, that they will not send their large steamers down the coast. I can quite understand that; because it requires them to keep five expensive steamers, vessels costing from £150,000 to £200,000 each, for the fork service, so as to enable one to come to each terminus. I can quite understand that will not pay, and I never thought it would pay, for it meant the locking up of a large capital; but if we give up the fork service, the Company can sell one if not two steamers, for I believe three boats would be quite sufficient for the new service, with the speed and power their steamers have; and arrangements could be made for the distribution of mails along the coast by smaller steamers. There is nothing in these telegrams sufficiently explicit to show that they will not take that responsibility. I refuse to recognize there is at all any necessity upon this Government for the instant action the honorable member thinks there is in this matter. We have been remarkably badly treated by the New South Wales Government. We have had for five months most urgent telegrams and despatches going from this Government when the Parliament at Sydney was in session, asking them to come to the consideration of what modification should be made; and they absolutely refused to give any word whatever as long as their Parliament was in session. They were afraid to bring the question before their Parliament; and it was not until their Parliament closed that they condescended to negotiate; and then they put the screw on this Government. I say that Sydney has got all the best of this contract. It gets the direct service, and we are paying half the cost. Sydney has the whole profit of the terminus; but we started on equal terms, each having a terminus, and are obliged to continue an equality of payments, while we have an inequality of services in every way. I am opposed to the proposal of the Postmaster-General, for Sydney ought to pay more if she has her way and all the consideration she has asked for. What the Government should do is this: they should allow the present temporary services to go on, as they have for two or three months, pending final negotiations; and they should not send these short, inconclusive telegrams, which, after all, require explanation in every word. The very meaning of the words “coastal service,” as used by Gilchrist, Watt, and Co., is unintelligible to my mind altogether. The Government should demand that some person on behalf of the contractors should come down and see the Government of New Zealand. That is what they have a right to do. New Zealand is the initiator of this service, and she should not be put off with telegrams from the contractors, filtering through another Government, which has only one-half of the interest, and one-half of the liability, and ought not to have more than one-half of the advantages of the contract. The Government ought to insist upon a responsible agent being sent here to discuss the matter. Then we could learn what the contractors want, and then we shall be on an equality with the Government of New South Wales, and not before. At present, that Government has the power of bringing its wishes

and influence to bear upon the contractors, and the wishes and interests of this colony are merely filtered through the New South Wales Government. I should absolutely insist that some responsible person should come here, either from Sydney or San Francisco, to discuss the matter finally before a conclusion is come to, and I object to the telegram being sent if a new contract is to be based upon it. We are giving up a great deal and taking nothing in return.

Mr. REYNOLDS.—I am glad that the honorable member for Timaru has taken such a view of the case. It would be ridiculous for the House to agree to such a proposition as is contained in the Government telegram. According to the original offer of the contractors, the C service was to be performed for £75,000, and that embraced the coastal service, which was to be carried on by vessels of 1,500 tons belonging to the Company. Now, looking at the fact that this colony has agreed to make large concessions, and that the coastal service is to be performed by small steamers, the contribution of this colony ought to be much less than half the £75,000. Then I have another objection to the proposal of the Postmaster-General: and that is, that the colony should undertake the responsibility of distributing the mails along the coast. Instead of costing £5,000, it will cost £15,000 or £20,000. One of the great disadvantages would be that the Company would have no interest in keeping regular time, and the small steamers might be kept waiting for the mail steamer many days at the Bay of Islands. The only way to secure regularity is to insist that the Company shall carry on the coastal service. There is no doubt of this: that New South Wales is acting very selfishly, and asking too many concessions from this colony. The mails, goods, and passengers for Sydney are to be carried through direct, and Sydney is to be the terminus of the line. That means a gain of £10,000 a year at least; and, considering all these things, New South Wales could well afford to be a little more generous. I think this colony should agree to no proposition which does not provide for the delivery of the mails along the coast by such steamers as are approved by the Postmaster-General; and even then New Zealand should not be called upon to pay more than £30,000 or £35,000, the balance under the C service (£40,000) to be paid by New South Wales. I think the best course to adopt would be to pass a resolution indicating the views of the House, and in the meantime to carry on the temporary contract until an agent of the Company came down from Sydney to make a definite arrangement.

Mr. BURNS.—It is much to be regretted that the House did not take some decided action when this subject was last before it. I certainly regret the vote I gave on that occasion, for I see now that New Zealand must go to the wall in this matter. The more concessions we give, the more they want. It is due to myself to explain that the vote I gave when this subject was last before the House was founded on the statement of the Postmaster-General, who assured us that we were to effect a saving of something like £10,000. The

honorable gentleman has made a mistake in his figures. I do not say intentionally; but he has made a mistake either in the amount to be paid under the contract, or in the amount to be saved by the letters we send. If I am right in supposing that the honorable gentleman is £10,000 out, and that we are not to have that saving, we should compel the Company to adhere to the terms of the contract or abandon it. Then we should have a sum sufficient to carry on the Suez service for a year. I am convinced that upon whatever terms the contract is carried on, the service will never be satisfactory. The best thing we could do would be to pass a resolution to the effect that this House is determined that the Company shall carry out their agreement or terminate the service at once. That would bring the matter to a crisis, and then if the New South Wales Government offered any concession, we could do so also. At present, they are imposing conditions upon us which we have no right to bear. The whole affair has been unsatisfactory from the beginning, and it is unsatisfactory now. I hope it will be brought to a definite issue one way or other.

Mr. JOHNSTON.—I would be glad to see the Postmaster-General suggest this alternative to the New South Wales Government, that the terminus should be at Auckland, and that New Zealand should pay half the intercolonial service from Auckland to Sydney. I should like to see the Postmaster-General make a counter offer to negotiate with the Government of New South Wales on this basis, but most assuredly not on the terms suggested by that Government.

Mr. MANDERS.—Any attempt to terminate the present contract would be a great loss not only to the commerce of the country, but in the discontinuance of those relations which have grown up with the United States. On the other hand, the New South Wales Government, while exhibiting great anxiety to maintain the service as a means of communication with San Francisco, displays a very illiberal spirit in calling upon this colony to bear so large a share of the cost. There is no doubt New South Wales has the lion's share of the advantages, and ought, therefore, to contribute the largest proportion of the cost. As to the contractors, I think they are right in objecting to take their expensive boats down the coast of New Zealand. It is an absurdity, and I am quite in accord with them on that point; but when we are asked to alter the port of call in New Zealand from a convenient to an inconvenient port, we ought to receive a corresponding amount in apportioning the cost. I trust the Postmaster-General will take a firm stand on this point. We may consent to leave out Honolulu—that is no advantage to us; but I hope he will insist that the steamers shall call at Auckland. It is evident that the Sydney Government are watching their own interest, and we should do the same.

Mr. STEVENS.—The Select Committee appointed to consider this question certainly gave it its fullest consideration, with an earnest desire to keep the service afloat. They decided upon what may be considered as an ultimatum, and I

believe it was so considered by them. They passed a vote to modify the terms of the contract by making the service direct from San Francisco to Sydney, calling at Auckland, and that the Company should perform the coastal service with ten-knot boats at their own expense; the cost to New Zealand to be reduced by £7,500. The House agreed to that resolution with one slight modification, which was, that if the contractors chose to call at the Bay of Islands instead of Auckland, the amount of reduction should be £10,000 instead of £7,500. The House adopted that, I think very wisely. The time has come when we must have an end of these modifications. In that respect I agree with the honorable member for Timaru. The question having been so far determined, we should now make up our minds not to consider any further modifications involving loss to the colony. I shall therefore move as an amendment to the proposed telegram:—

"That this House is not prepared to modify the terms set out in the telegram from the Postmaster-General to the Colonial Secretary, Sydney, dated 14th October, 1876, save as regards omitting to call at Honolulu."

Mr. WHITAKER.—Sir, I think the honorable member for Timaru has misread the telegram of the 17th October. In that telegram the Colonial Secretary, Sydney, says, "The Company have telegraphed Gilchrist that they will forfeit penalty, and withdraw entirely, rather than run your coastal service, or undertake any responsibility in connection with it again." And then he goes on to say, "We recommend reconsideration, and that the two colonies offer to the Company £75,000, 'Frisco, Honolulu, Bay of Islands, Sydney, thirteen trips a year. Separate tender for the coastal service to be called for, and jointly approved. The cost thereof to be joint and equal between our respective Governments.'" I apprehend that it is quite clear the Company will not agree to any terms involving their performance of the coastal service.

Mr. BURNS.—Will the Postmaster-General be good enough to state whether he is not in error in the figures he gave us with respect to the saving on this service?

Mr. WHITAKER.—No; I am not aware of any error in those figures. I have looked over them since, and they appear to me quite correct.

Mr. BURNS.—I think there is an error of £4,000 in them.

Mr. HUNTER.—If I read the telegram proposed to be sent by the Postmaster-General aright, it means that the Company shall have the alternative of calling at the Bay of Islands if they choose. I think the Government should be firm upon that point, and they should at once say that if the boats come to New Zealand at all, they must call at Auckland. I have already expressed that opinion, and I now beg to repeat it. Considering the number of passengers that will go and come by this line, we have a right to take them into consideration, and their convenience should be thought of. Passengers might have to go there and wait for days, at the greatest inconvenience to themselves. That proposition, there-

fore, on the part of the New South Wales Government is not fair, and is only put forward on the plea of saving a few hours in the service. I think we may waive the provision for calling at Honolulu; but I think the Government should be firm, and say that under no circumstances will they consent that the boats should call at the Bay of Islands. With regard to the coastal service, I think it is a matter which might very well be left in the hands of the Government. It is quite certain that we shall be able to get that service performed by local companies, and then we should be placed in an independent position. It must also be borne in mind that great inconvenience would be caused by any sudden stoppage in the service, and therefore the hands of the Government should not be too strictly tied. It is a pity the figures quoted by the Postmaster-General are not printed, as I believe they would clear up the doubts entertained by the honorable member for Roslyn. We should also have the telegram proposed by the Postmaster-General printed, as it is impossible to gather its exact intention from merely hearing it casually read. I believe the Government are right in waiving the question of calling at Honolulu, but think they should insist upon the steamers calling at Auckland; and that, with regard to the coastal service, we should meet the New South Wales Government, and take the matter into our own hands.

Mr. WHITAKER.—I do not think honorable members bear in mind sufficiently the telegram I propose to send. It reiterates precisely the terms of the telegram of the 14th October, with this single modification, as I understand it, that the coastal service may be undertaken by ourselves if we get a reduction of £5,000 a year in the subsidy. I am bound to say that if we can get that reduction made, I believe the coastal service would be better managed by ourselves than by the Company. That seems to me an important matter; because if it is left in the hands of the Government, the New South Wales Government will probably at once accede to the reduction of £5,000, and we can arrange for a better coastal service. I would ask the honorable member for Christchurch, Mr. Stevens, if he agrees with me that that reduction is sufficient, to withdraw his motion, and let the matter be left as I propose; because then we should be in a better position than if we carried out strictly the terms of the telegram of the 14th October.

Mr. BURNS.—Will the Postmaster-General give us any data to show that the coastal service can be carried on for £5,000 a year?

Mr. WHITAKER.—I have applied to the Manager of the Union Company at Dunedin, and he says it can be done for £5,000. If he says so, I think we may fairly infer that it will not cost more.

Mr. STAFFORD.—It is very singular that the Postmaster-General should have told us on a previous occasion that the service between the Bay of Islands and Auckland would cost the colony £7,000 a year, and yet we now learn that the service along the whole coast can be carried on for £5,000 a year. I am not altogether satisfied with the amendment, but I prefer the

amendment to the original motion. I do not think the amendment goes far enough. I think the whole onus of the matter lies upon the shoulders of the New South Wales Government for the criminal delay in not coming to a conclusion sooner, and that should be distinctly pointed out to them. We should deal directly with the contractors, and not with the New South Wales Government, because we are simply being used as tools by that Government. It is a point of honor with them not to be beaten by Victoria in their mail service with England; but there is no point of honor involved in our dealing with the matter. We have never taken up such a position as would prevent our allying ourselves with Victoria just as well as with New South Wales in carrying on a mail service with Europe. The New South Wales Government are so much more interested in the matter that they should not have jeopardized the service by delaying for four or five months to attend to the remonstrances of the New Zealand Government; but, as they have done so, they must take the consequences.

Mr. ORMOND.—I agree very much with the views of the honorable member for Timaru. It appears to me it is the duty of the Government to see that this colony gets fair-play in any arrangement that is made. At the present moment we are paying half the cost of the service, and we are getting equal advantages with New South Wales. That is to say, New Zealand is as much the terminus of the line as is New South Wales. If, then, we modify the service in the way proposed by the Postmaster-General, we shall be modifying it in this way, that we shall still be paying half the subsidy, and at the same time be giving up the terminus. I quite agree with those who say it is of great consequence to New South Wales to keep up this service; and if it be so, then depend upon it, before they allow it to break down, they will reconsider the whole question. As far as I can see, the telegrams sent by the New South Wales Government show that they are not inclined to treat us with any consideration. Everything we have proposed has been declined, and in the most abrupt way. Only the other day the New South Wales Government telegraphed to know if we would accept the temporary service, and the Postmaster-General replied "Yes," with the proviso that Auckland should be the port of call. This they at once declined to accept; and I must say I do not think that is the way in which this colony should be treated. I think, therefore, the House would do well to confirm the proposals made the other day, which put us in such a position that we should pay £10,000 a year less for the service than New South Wales. We should give up our right to the terminus, and receive that small consideration for it; and we should also not take upon ourselves the onus of the coastal service, but throw it upon the Company. I am one of those who think the onus should rest on them. No doubt they would have to arrange with local companies to perform the service, but the onus of carrying it out should rest with them. I do not agree with the honorable member for Wellington

City, that if that were the case, we should have the service breaking down some day. That would not be so, because there is a provision in the contract that the boats are to be of a certain class, and to the satisfaction of the Government, who would therefore practically have the direction of the coastal service in their own hands. There is only one addition I would like to see made to the proposal of the honorable member for Christchurch, and that is, if there be anything reasonable that they have to propose, they should send down a representative from the Company—a duly authorized person—to treat with the New Zealand Government on this subject. They should treat this Government with a little more respect.

Mr. HUNTER.—The honorable member has misunderstood me. I said that in the event of the mail boat from San Francisco arriving three days late at the Bay of Islands, the steamer waiting for the mails and passengers would be detained there; and the same thing would happen if the boat arrived from Sydney three days late. There would be a great deal of inconvenience.

Mr. BURNS.—I should like to see the Company distribute the mails, and not the Government. It is evident that the New South Wales Government want to get out of the service: they want to bring us into litigation. If we do not compel them to carry out their original contract, we shall get into trouble with them. I confess I am inclined to support the amendment of the honorable member for Christchurch.

Mr. J. C. BROWN.—I think the Government should adhere to the existing contract, as any departure from it would not be for our benefit. If any arrangement were come to to do away with the coastal service, we ought to derive a much larger pecuniary advantage than what is proposed for such an alteration. I know the New South Wales Government are very desirous to continue the service on their own account, and will no doubt contrive to make such arrangements to suit themselves, without any reference to the convenience of New Zealand. We should abide by the original contract, as I believe any departure from it would not be advantageous to the colony.

Mr. REYNOLDS.—I shall oppose any resolution which seeks to throw on the Government the management of the coastal service. Unless the Company carry out this service, I am convinced that it will cost the Government three times the sum which some honorable members consider it will cost. Companies sometimes offer to do work at a certain price, and afterwards they alter their minds and find they cannot do it. If there should be any uncertainty as to when the steamer would arrive from San Francisco, the risk should rest not with the Government but with the Company with whom the Government has the contract. I trust the House will not agree to any contract, or any alteration thereof, which does not involve the Company delivering the mails throughout the colony.

Mr. JOHNSTON.—The time of the departure of the mail steamers from San Francisco is always telegraphed, and the time for their arrival within a few hours is known beforehand. If Auckland

is made the port of arrival in New Zealand, there is constant communication between that port and the other ports in the colony, so that there can be no delay or confusion in the distribution of the mails. I am told that the Company would effect a saving of £7,000 a month by having a through line instead of a forked service. The gain which New South Wales would derive is this, that she would have a through service every month instead of every alternate month. I think New Zealand would have the worst of the proposed bargain. She would have to pay half of the cost of the contract, and get comparatively little in return for the expenditure. I think we should manage our own coastal service, and obtain a much larger reduction in the amount of our contribution. I think the suggestion that a temporary service should be carried on for a month or two, and that delegates should be invited to consult with the Government with the view of coming to some arrangement, is the best suggestion that has been made. I hope the Government will agree to adopt that course. If that is not agreed to, I shall support the resolution of the honorable member for Christchurch.

Mr. WHITAKER.—There is no temporary service whatever agreed to: they refuse to have a temporary service.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	86
Majority against...	...	...	...	...	7

AYES.

Major Atkinson,	Mr. Nahe,
Mr. Barff,	Mr. O'Rorke,
Mr. Bowen,	Mr. Pyke,
Mr. Brandon,	Mr. Rees,
Mr. Bunny,	Mr. Richardson,
Mr. Button,	Mr. Rowe,
Mr. Curtis,	Mr. Seymour,
Mr. Dignan,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. Tawiti,
Mr. Henry,	Mr. Tole,
Mr. Hursthouse,	Mr. Whitaker.
Mr. Lusk,	<i>Tellers.</i>
Mr. Manders,	Mr. Kelly,
Mr. G. McLean,	Mr. Sheehan.

NOES.

Mr. Baigent,	Mr. Reynolds,
Mr. J. O. Brown,	Mr. Rolleston,
Mr. Bryce,	Mr. Seaton,
Mr. Burns,	Mr. Sharp,
Mr. Carrington,	Mr. Shrimski,
Mr. De Lautour,	Mr. Stafford,
Mr. Fisher,	Mr. Taiaroa,
Mr. Fitzroy,	Mr. Teschemaker,
Mr. Gibbs,	Mr. Thomson,
Mr. Harper,	Mr. Tribe,
Mr. Hislop,	Mr. Wakefield,
Mr. Hodgkinson,	Mr. Wason,
Mr. Hunter,	Mr. Williams,

Mr. Joyce,
Mr. Lumden,
Mr. Montgomery,
Mr. Ormond,
Mr. Pearce,
Mr. D. Reid,

Mr. W. Wood,
Mr. Woolcock.

Tellers.

Mr. Johnston,
Mr. Stevens.

The resolution was consequently negatived.

Mr. LUSK.—I will move, That this debate be adjourned until this evening, in order that the telegram the Postmaster-General proposes to send, and the amendment, may be printed, so that honorable members may see exactly what they are doing. I very much fear that they do not know what the effect of the decision they have come to is; and if the House does not know, I very much fear that the House will do what they will very much regret.

Question put, "That the debate be now adjourned;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	40
Noes	...	...	...	...	28
Majority for	...	...	...	...	14

AYES.

Major Atkinson,	Mr. G. McLean,
Mr. Baigent,	Mr. Nahe,
Mr. Barff,	Mr. O'Rorke,
Mr. Bowen,	Mr. Pearce,
Mr. Brandon,	Mr. Pyke,
Mr. Bryce,	Mr. Rees,
Mr. Bunny,	Mr. Richardson,
Mr. Button,	Mr. Rowe,
Mr. Carrington,	Mr. Seymour,
Mr. Curtis,	Mr. Sharp,
Mr. Dignan,	Mr. Sheehan,
Mr. Gibbs,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. Tawiti,
Mr. Hunter,	Mr. Tole,
Mr. Hursthouse,	Mr. Whitaker,
Mr. Johnston,	Mr. Williams.
Mr. Joyce,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Lumden,	Mr. Kelly,
Mr. Manders,	Mr. Lusk.

NOES.

Mr. J. O. Brown,	Mr. Shrimski,
Mr. DeLautour,	Mr. Stafford,
Mr. Fisher,	Mr. Stevens,
Mr. Fitzroy,	Mr. Taiaroa,
Mr. Harper,	Mr. Teschemaker,
Mr. Henry,	Mr. Thomson,
Mr. Hislop,	Mr. Tribe,
Mr. Hodgkinson,	Mr. Wakefield,
Mr. Montgomery,	Mr. Wason,
Mr. Murray,	Mr. W. Wood.
Mr. Ormond,	
Mr. Reid,	<i>Tellers.</i>
Mr. Rolleston,	Mr. Burns,
Mr. Seaton,	Mr. Reynolds.

The debate was consequently adjourned.

DEBATE RESUMED.

Mr. SHEEHAN.—I move the addition of the following words to the motion of the honor-

able member for Christchurch (Mr. Stevens):—"And in the event of the contractors electing to call at Auckland and desiring to discontinue the coastal service, that they be permitted to do so on making a further deduction of £5,000 from the subsidy payable to them, the two colonies, in such case, undertaking to provide for that service at their joint expense."

Mr. G. McLEAN.—I think the House has been fighting with a shadow this afternoon. If honorable members will read the telegram of the Postmaster-General, they will find that there is not much difference between it and the amendment of the honorable member for Christchurch, with the exception of taking the risk of coastal service, which the Company positively decline to do. A division was called for on the original motion, in order that the responsibility under such circumstances might rest on the House. The House has said that it will adhere to the terms it proposed before on the subject, and will leave the Government no option of deviating from those terms. Therefore the House has taken a serious responsibility upon itself. With regard to the coastal service, it matters very little whether you saddle the Company or the Government with the responsibility of the distribution of the mail. With reference to the observation made by the honorable member for Port Chalmers, I have only to say that if the Pacific Company cannot keep up to the time they will be saddled with the demurrage that may have to be paid to the coastal boats: the Government will take good care the colony does not suffer. With regard to the choice of the Bay of Islands or Auckland as the first port of call, it is a very different thing to bring mails from the Bay of Islands to bringing them from Auckland. From the port of Auckland you can distribute the mails along the West Coast by steamers now running every four days for a very small sum compared to what you would have to pay if the Bay of Islands was selected as the port of call. Those who have taken a trip Home know what it is to have to remain two or three days at Kandavu, and they will be able to form an idea of what it would be to have to remain two or three days at the Bay of Islands, should the steamers be behind time. Some consideration should be given to the passengers from New Zealand; they are entitled to some consideration. I think we are quite entitled to say to the New South Wales Government, "You must agree to Auckland as the port of call." By so doing, every facility for the distribution of the mails and comfort of the passengers for New Zealand is secured, and in return they secure immense advantages, such as the whole terminus of the line. By adopting the Bay of Islands as the port of call, you must run down along a coast on which there is no traffic, and you could not get the coastal service done for the payment of double what you would have to pay if Auckland were the port selected. The honorable member for Timaru's idea of having a boat to run between Bay of Islands and Auckland is on a par with that of the New South Wales Government, and, to say the least, displays a great want of know-

ledge of the difficulties of such proposal. Do they propose that mails and passengers are to be brought to Auckland by the small boat now running? If so, I am sure they will get little support. If not, what do they propose should be done with the large boat that would be employed, when the service would only take her about four days in the month? It is very advisable that this addition, moved by the honorable member for Rodney, should be added to what has now become the substantive motion; and I think the House will allow the motion to be carried in that form. I have always said that, after payment of the subsidy for the distribution of the mails, New Zealand is entitled to the whole saving after that. The House has thought otherwise, and has dealt very liberally with the Government of New South Wales; and the debate that has just taken place, I hope, will show the inadvisability of further pressing the unreasonable concessions they are now urging upon us, and so strengthen the hands of the Government, and allow them to negotiate in accordance with the feelings and wishes of this House.

Mr. REYNOLDS.—I must say a few words in relation to this amendment. I certainly understood, before the House adjourned to-day, that a resolution or an amendment had been carried, and I did think it was hardly necessary to adjourn the debate. The position the colony stands in is a very simple one. At the present time, we have a contract for the San Francisco Mail Service. Our contract is to the effect that the mails are to be brought from San Francisco to Honolulu, from there to Kandavu, and then on to New Zealand; and the mails are to be delivered on particular dates at all the ports as far south as Dunedin. The Company are not satisfied with the arrangement they entered into, and they say that unless they are relieved of the coastal service they will pay the penalty of £25,000, and abandon the contract. In order to meet their views, and to prevent them from abandoning the contract, a resolution was passed by this House giving them permission to so far deviate from the contract as to cease sending their boats down to Otago, allowing them to forward their mails and passengers from Auckland by such boats as would be approved of by the Postmaster-General. This they refused to do, and I think they are really calling upon the House to relax the contract far beyond what they expect the colony will agree to. The Provinces of Wellington, Canterbury, and Otago are large contributors towards this subsidy; yet the Postmaster-General virtually says in effect, "We will get the mails to Auckland, and there the service will end. The Colonial Government will take care that the mails are sent down to the other ports in the colony." But what we want is that the terms of the contract should be observed, and that the contractors should either throw up the contract, or be compelled to deliver the mails at the various ports of the colony, as specified in the contract. Let them make an arrangement with the Union or any local company to send the mails down the coast. I would not have the same confidence in the Government carrying the mails regularly as I would have in

the Company's doing so, for the Company would be liable to penalties. Speaking for a considerable portion of the colony, I will say that if the proposed addition is made, it will give the greatest dissatisfaction, and all the rest of the colony excepting Auckland will have reason to complain. I say it is our duty to insist upon the Company carrying out the contract with smaller boats for the coastal service, but the times at which they are to deliver the mails at the various ports to be the same as at present. I do not care what kind of boats they use for the coastal service, provided they are sufficiently commodious for the passengers and mails. I do trust the House will not be led away by the arguments of the Commissioner of Customs, or of the Postmaster-General.

Mr. STAFFORD.—This is not purely an Auckland question; it is a question for the Colony of New Zealand to determine whether they shall get an equal participation with the Colony of New South Wales in the benefits of the service. It appears to me, as the original motion stands, the Colony of New Zealand will not get that. I was very much surprised to hear some of the arguments of the Commissioner of Customs, who said the House would be taking a great responsibility if they adhered to a particular resolution. What has the Government invited the opinion of the House for? Are we to come here as dumb animals to hear a proposed telegram read out for our information, and then not to express our opinion upon it, and say whether we concur or whether we do not concur in it? What did the telegram of the 14th October do but place the responsibility on the House? And now, when some members of the House have shown a disposition to concur in the terms of that telegram, they are warned that they are taking a most dreadful responsibility upon themselves. I think the Government should not play fast and loose with the House by taking up such a position. The Commissioner of Customs said that the steamers going from the Bay of Islands to Auckland would run down a long barren coast, along which there is very little traffic. That is not the case; for it is but an eight hours' trip for the steamers we require for the service.

We have plenty of steamers on our coast now able to perform such a service. The mails can be distributed either to the East or West Coast when they arrive at Auckland from the Bay of Islands, and equal facilities will be given to all parts of the colony—exactly the same facilities as if the mail steamers came to Auckland. There is a great deal in the fact that we are giving up all benefit to New South Wales. We have given up the terminus at Dunedin rather than see the main service destroyed, because many of us believed that the contractors could not afford to have two termini with such large and valuable steamers; but it does not follow, because we have given that up, that we are going to give everything up. This Government is being made a tool of by the New South Wales Government; for that Government is bringing pressure through the contractors upon the Government of New Zealand. That is the position of affairs, and I do not think the Commissioner of Customs mended matters

by his remarks. He seemed to me to seek to frighten the House by his remarks. He said if we re-affirmed a resolution which the Government invited us to affirm, we should be taking a terrible responsibility on ourselves. Either the Government should have managed the whole matter in their own offices without consulting the House at all, or, having taken the House into their confidence, as they professed to do, and as they have up to this time, both in the Select Committee and in the open House, they should not now take any other position. I shall say again, what I said some days ago when this matter was before the House, that I want to see the cheapest mail service New Zealand can get in connection with California; but I am not prepared that we should get less advantages than New South Wales. If New South Wales is so very anxious for this particular route, let her pay something more, and show the imperative necessity for it by contributing something more than we do. I think that the addition which has been proposed to be made to the amendment of the honorable member for Christchurch would simply restore the position of the original motion in a roundabout way. It in reality is no amendment when read together: it is the original motion turned upside down.

Mr. WHITAKER.—The honorable gentleman is entirely mistaken. If he will read the original resolution, and read it in connection with the telegram of the 14th October, he will find there are differences between the two, of a very substantial nature. In the first place, he will find that in the resolutions I proposed, the option given to the contractors to call at Auckland or the Bay of Islands is materially altered. The resolution contained in the telegram of the 14th October gave an option to the contractors to go which place they pleased upon certain terms. I imagine the line is sufficiently distinct between the two to debar them from being treated as one resolution, or substantially the same.

Mr. STAFFORD.—I do not wish to interrupt the honorable gentleman; but his remarks will cause delay, for he has started with an entirely false impression of what I said. I said that, if the amendment of the honorable member for Rodney were added to the amendment moved by the honorable member for Christchurch, it would be substantially the same as the telegram which the Government proposed to send to-day.

Mr. WHITAKER.—What I understand the honorable member to say is this: that there is no distinction between the telegram proposed to be sent this afternoon and the amendment of the honorable member for Christchurch with the amendment of the honorable member for Rodney added, and the resolutions of October 14th. I think the honorable gentleman is rather mistaken in his interpretation of these resolutions. In the first place, the first substantial difference is this: that in the resolution of the 14th October a certain option is given to the contractors; and in the resolution proposed this afternoon that option is substantially varied. If the honorable gentleman will look at the resolutions, I think he will see that there is a substantial difference.

Mr. STAFFORD.—I said that the addition of the words proposed by the honorable member for Rodney to the amendment of the honorable member for Christchurch would be together substantially the same as the telegram proposed to be sent by the Government this afternoon. I have made no reference to the original telegram of the 14th October.

Mr. WHITAKER.—I am really at a loss exactly to understand the position the honorable gentleman takes up. I should be very glad indeed if he would put it in such a way that I could understand it. He says that if the addition proposed by the honorable member for Rodney were added to the resolutions of the 14th October the result would be the same in effect as the resolution proposed this afternoon; but I say it is not so. In the first place, the resolution of the 14th October gave a certain option to the contractors, but the resolution of this afternoon was very different; and again, if honorable members will look at the resolutions of the 14th of October, they will find that the share New Zealand contributes to the subsidy is reduced by £7,500 for calling at Auckland, and £10,000 for calling at the Bay of Islands. There is no such proposition in the resolution I proposed this afternoon. My suggestion is that £75,000 shall be paid, less £5,000 to be deducted for the coastal service; so that the resolutions are entirely different. It is quite competent, I submit, to add the words proposed by the honorable member for Rodney. In his amendment the honorable gentleman says that, in the event of the contractors electing to call at Auckland as provided in the resolutions of the 14th—an election which is not allowed under my proposal made to-day—and desiring to discontinue the coastal service—they should be permitted to do so on making a further reduction of £5,000 from the subsidy of £7,500 payable to them. Now, that is a totally different arrangement from the resolution of the 14th October. It is different in every respect. The honorable member for Port Chalmers then says that an amendment was carried this afternoon; but as a matter of fact there was no amendment carried this afternoon. What was done was, that the resolution I proposed was negatived, but no other resolution was carried; and my resolution having been negatived, makes a substantive resolution of that proposed by the honorable member for Christchurch. Of course, it is now competent to propose an amendment upon that resolution. What I wish to make clear is this: that we had before us a totally different question this afternoon from that which we are now called on to determine. With regard to the difference between allowing the contractors to call at Auckland and allowing them to call at the Bay of Islands, I would point out that I prefer that the vessels should go to Auckland, for several reasons. In the first place, if the two steamers which were to call at the Bay of Islands did not happen to meet each other, the condition of the passengers would be almost as bad as if they had called at Kandavu. There would be no proper accommodation; and what would become of them? They would be placed in a very unfortunate position. Then there is

another reason. If a proper allowance is made to us for the distribution of the mails along the coast, we can do it in a much more satisfactory manner than the contractors can. The honorable member for Port Chalmers said that Otago and Canterbury paid a large sum toward this subsidy. That is quite true; but if we deliver the mails ourselves we can do it quicker than the contractors. We know that travelling along the West Coast is much more convenient and quicker than by the East Coast, and we should consequently be able to deliver the mails for Canterbury and Otago in a much shorter time. If we compel the contractors to go down the East Coast, we know that there are no ports between Wellington and Auckland which vessels of the size required can go into. I should be altogether unwilling to undertake, on the part of the colony, to run steamers down the East Coast, because I am quite sure it can only be done at an expense far exceeding anything we can maintain. I have taken the trouble to inquire what the cost of a like service on the West Coast for this service would be, and I find, from communications with the Manager of the Union Company of Otago, that if we desire to distribute the mails down the West Coast he could do it at a cost not exceeding £5,000 a year. I then went into the question as to the cost of their distribution down the East Coast from the Bay of Islands, and the Manager said it would require a sum of £12,000. I asked him if he thought it could not be done for £10,000; and he said it might, but he should be unwilling to say that the expense could be brought under £12,000. He was at a loss to know what could be done with the steamer employed on this service in the meantime, as it would require only about a fortnight to carry the mails. There would be nothing for it to do; whereas if the mails were brought down the West Coast, where the boats run at intervals of four days, they would be constantly employed, and would deliver the mails much more rapidly and conveniently at all the ports with the exception of Napier, for which a special arrangement would have to be made, just as we have now to make a special arrangement at the present time for the delivery of the mails at New Plymouth and the west coast of the Middle Island. On the whole, I think that the proposals of the honorable member for Rodney will very much facilitate the delivery of the mails, and materially reduce the cost. That appears to be clear. I am bound to say, however, that my impression is that the service will come to an end before very long, whether we pass this resolution or not. Of course, it is quite possible that other gentlemen will form other conclusions; but I have been compelled, from the position in which I have been placed, and from the very considerable attention I have paid to the matter, to come to the conclusion that the service may come to an end before very long, as I think our terms will not be accepted. I admit that its continuance would be of very considerable advantage to New Zealand; and hence it is that I desire to see it continued. The honorable member for Port Chalmers tells us that, if the

coastal service is discontinued by the contractors, all the colony will complain except Auckland; I think not if a better service is substituted. I am quite aware that it is the honorable gentleman's wish that we should put an end to the service at once. Of course, if the House comes to the conclusion that it is desirable to terminate the service, there will be no difficulty in doing so by adhering strictly to the contract. The honorable member for Timaru was very indignant about an observation made by the Commissioner of Customs, who stated that the House by negating the resolution had taken the responsibility. I think it is right that the House should accept the responsibility. We invite it to do so; but at the same time we are aware that the responsibility reverts to us when the House is not sitting. I have deemed it my duty to make the House acquainted with all the circumstances as they have arisen, and have consulted the House on all occasions. I have not received a single communication that I have not placed before the House; and, when the Commissioner of Customs spoke of responsibility, he meant that the House, by carrying a proposition against the Government, had relieved them of the duty of leading the House in the matter, and had thereby taken the responsibility upon itself. I do not complain of that. I am glad to accept that position. Upon the whole I think it far better that an addition should be made to the resolution of the honorable member for Christchurch, and for that reason I shall support the amendment of the honorable member for Rodney.

Mr. BURNS.—It seems to me that the honorable gentleman is treating this matter as a special pleader, and not as it should be treated by the Postmaster-General. He is drawing a red-herring across the scent. What I wish to point out is this: that if the House is prepared to abandon the coastal service, it does not matter one straw whether the boats call at Auckland or the Bay of Islands, because, if the Company is compelled to carry the mails down the coast, the risk and cost will fall upon them and not upon the colony. That is the reason why I oppose the proposal before the House. I maintain that, if we abandon the idea of the mail-boats carrying the mails down the coast, we abandon the contract, and give the Company a loop-hole to claim compensation. That is the danger. I hope the House will not depart from the contract at all. The Postmaster-General says that in any case the Company will abandon the service. Let it do so; but do not let this House step in between the Government and the Company, and deprive us of the right of claiming compensation. There is no doubt about this: that if we are to enter into a new arrangement, that Auckland should be made the port of call. But I think we should compel the Company to observe the terms of the contract, and continue the coastal service. That is the point I strongly advocate.

Sir R. DOUGLAS.—The question amounts to this: Shall we get rid of the American contract? That is the gist of the matter. If the steamers go to Auckland they will surely lose a day. But that is a question for the contractors to consider. If the Bay of Islands is selected,

it will be for the benefit of the contractors only; it will certainly be a loss to the colony. But the real question upon which we have to vote to-night is whether we shall continue the American service or not.

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following results:—

Ayes	...	...	...	...	42
Noes	...	...	...	...	22
Majority for	...	...	...	...	20

AYES.

Major Atkinson,	Mr. Manders,
Mr. Baigent,	Mr. G. McLean,
Mr. Barff,	Mr. Nahe,
Mr. Bowen,	Mr. O'Rorke,
Mr. Brandon,	Mr. Pearce,
Mr. Bryce,	Mr. Pyke,
Mr. Bunny,	Mr. Rees,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Rowe,
Sir B. Dignan,	Mr. Seymour,
Mr. Douglas,	Mr. Sharp,
Mr. Gibbs,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. Tawiti,
Mr. Hialop,	Mr. Tole,
Mr. Hunter,	Mr. Tribe,
Mr. Hursthouse,	Mr. Whitaker,
Mr. Johnston,	Mr. Woolcock.
Mr. Joyce,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Larnach,	Mr. Kelly,
Mr. Lumaden,	Mr. Sheehan.

NOES.

Mr. Andrew,	Mr. Seaton,
Mr. De Lautour,	Mr. Stafford,
Mr. Fisher,	Mr. Stevens,
Mr. Fitzroy,	Mr. Taiaroa,
Mr. Harper,	Mr. Teschemaker,
Captain Kenny,	Mr. Thomson,
Mr. Montgomery,	Mr. Wason,
Mr. Murray-Aynsley,	Mr. W. Wood.
Mr. Ormond,	
Mr. Reid,	<i>Tellers.</i>
Mr. Reynolds,	Mr. J. C. Brown,
Mr. Rolleston,	Mr. Burns.

The amendment was consequently agreed to, and the resolution, as amended, agreed to.

DISQUALIFICATION BILL.

The House proceeded to consider the following amendment made by the Legislative Council in this Bill:—

"To add to clause 6 the following subsection: 'Any person being a Superintendent of any province, or any member of any Provincial Executive Council, who shall have been such Superintendent or member of Executive Council during the whole of the present session of Parliament, and who shall be holding such office at the time of the complete coming into force of 'The Abolition of Provinces Act, 1876.'"

Mr. WHITAKER explained that this was an

addition to the exemptions from disqualification of members, for a period of twelve months after ceasing to be members of the General Assembly, to take any office under the Government. He would move, That the amendment be agreed to.

Mr. REYNOLDS was not disposed to agree with the amendments made in this Bill. This section disqualified any person, being a member of the Legislative Council or House of Representatives, for a period of twelve months after he ceased to be such a member, from accepting any office, commission, or employment as referred to in the 4th section of the Bill; and if he did accept such an employment, he would forfeit a penalty of £50 for every week he held such office. The 16th section of the Bill exempted members of both Houses who became Judges of the Supreme Court, or Agent-General; but since the passing of the Bill through the House a provision had been inserted as follows:—

“Any person being a Superintendent of any province, or any member of any Provincial Executive Council, who shall have been such Superintendent or member of Executive Council during the whole of the present session of Parliament, and who shall be holding such office at the time of the complete coming into force of ‘The Abolition of Provinces Act, 1875.’”

There might be some reason with regard to Superintendents; but he could see no reason why it should apply to members of the Executive Council any more than members of Provincial Councils. They might as well include in the exemptions members of the Provincial Councils, Road Boards, or of any other public body. He trusted the House would disagree with the amendment.

Mr. MONTGOMERY said there was a difference of opinion in the minds of honorable members as to the meaning of the amendments. He wished to know if it meant any specified period, or if it meant that, if those gentlemen referred to accepted office, they must resign their seats in the House. The amendment seemed to be very obscure. Perhaps the Postmaster-General would explain it.

Mr. SWANSON said his impression on hearing the amendment read was that the persons referred to must resign their seats if they accepted office; but they would not be subject to any penalty. He would like to have an explanation of the amendment before being called upon to vote.

Mr. THOMSON thought that the clause, as proposed to be amended, should be printed. So far as he understood it, it meant that the Government might continue the Executive Council in office for the next twelve months or for all time.

Mr. BURNS wished to understand if this was the meaning of the clause: that any member of a Provincial Executive or Superintendent, notwithstanding his being a member of the House, could receive an appointment under the Crown. If that was the meaning of the amendment, it was wrong, and he would vote against it.

Mr. BRANDON said the amendment did not enable them to hold their seats in the Assembly

if they accepted office; they must resign, but they would not be subject to any penalty.

Mr. MURRAY thought it was desirable that the Government should have the power to employ Superintendents and Provincial Executive officers for a month or two after the Abolition Act came into force. It would be well if the Postmaster-General would introduce some provision in the Bill to limit the operation of the disqualification relating to Superintendents and provincial officers for six months. Such a provision would meet the wishes of the House.

Mr. REYNOLDS said that could not be done now. All the House could do would be to disagree with the amendments. The amendment suggested could be made in the other branch of the Legislature.

Mr. MURRAY said if the Postmaster-General could not meet that difficulty, he would be bound to vote against agreeing with the amendment.

Mr. HUNTER would support the amendment. The General Government would have a great deal to do, and the services of the Superintendents and members of Provincial Executives would be very valuable to the Government. As he understood the clause as amended, the General Government could avail themselves of their services. He did not think it fair to tie the hands of the Government. The clause was a fair one, which, under the present circumstances of the country, recommended itself to the favourable consideration of the House.

Sir G. GREY trusted the amendment would not be agreed to. The House had distinctly settled that this was not to be done. The simple meaning of the amendment was to place Superintendents and members of Provincial Executives exactly in the same position as the Agent-General was placed in, or members of the House who accepted the office of Judge. He hoped such an amendment would not be agreed to.

Mr. KENNEDY said the greatest difficulty they had in arriving at a conclusion on this question was owing to the fact that it was not sufficiently explained, and it did not explain itself. The Act exempted medical men from disqualification, and it was now proposed to exempt also Superintendents and members of the Provincial Executive Councils. If that exemption were only to operate for the ensuing year, he would certainly be inclined to support it; but if it were to have permanent effect, he would oppose it.

Mr. SHRIMSKI said, as the Act exempted lawyers and others, he did not see why auctioneers, who paid £50 for their licenses, should not be exempted.

Question put, “That the amendment made by the Legislative Council be agreed to,” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	26
Majority for	...	...	...	...	5

AYES.

Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Bunny,
Mr. Carrington,
Mr. Curtis,
Mr. De Lautour,
Sir R. Douglas,
Mr. Fitroy,
Mr. Harper,
Mr. Hislop,
Mr. Hursthouse,
Mr. Joyce,
Mr. Kelly,
Captain Kenny,
Mr. Larnach,

Mr. Lumaden,
Mr. G. McLean,
Mr. Nahe,
Mr. Ormond,
Mr. Pearce,
Mr. Richardson,
Mr. Seymour,
Mr. Shrimski,
Mr. Tairaoa,
Mr. Tawiti,
Mr. Watson,
Mr. Whitaker,
Mr. Woolcock.
Tellers.
Mr. Brandon,
Mr. Hunter.

NOES.

Mr. Baigent,
Mr. J. O. Brown,
Mr. Bryce,
Mr. Dignan,
Mr. Fisher,
Mr. Gibbs,
Sir G. Grey,
Mr. Hamlin,
Mr. Johnston,
Mr. Kennedy,
Mr. Manders,
Mr. Montgomery,
Mr. Murray,
Mr. Murray-Aynsley,

Mr. O'Rourke,
Mr. Rowe,
Mr. Seaton,
Mr. Sharp,
Mr. Stevens,
Mr. Swanson,
Mr. Takamoana,
Mr. Thomson,
Mr. Tole,
Mr. W. Wood.

Tellers.

Mr. Burns,
Mr. Reynolds.

The amendment was consequently agreed to.

SARTORIS, DOWNE, AND OTHERS CLAIM BILL.

Major ATKINSON, in moving the second reading of this Bill, said it was introduced to give effect to a resolution of the House passed a short time ago, directing the Government to enter into negotiations with those claimants under an Act which was passed in 1872. After consultation with the Provincial Government of Taranaki and with the Superintendent of that province, who also represented the claimants, the Government presented this Bill for the consideration of the House. It was proposed to set apart a block of land which was one of the best blocks available for the purpose at the present time, and to allow the Waste Lands Board of Taranaki to fix the conditions, and the price of the land which the claimants were to take. As honorable members were aware, the claim and award were for land which was confiscated, and sold by the colony; and therefore the provincial authorities of Taranaki had always considered it was an unfair thing to charge those awards against the land of the province, as the land for which compensation was given had been appropriated by the colony, and sold or given back to the Maoris, or granted to military settlers. The total amount of the award was slightly under £18,000; and it was therefore proposed by this Bill that the colony should recoup the province one-third of that amount, in order that the road passing by this land, which was the main road from Waitara to Patea, and a most important road in every

respect, might have a certain expenditure upon it in order to carry out the settlement of the country. Honorable members were aware that the Land Fund of Taranaki was very small, that all its land now open for sale was bush land, and that, unless some of the proceeds of the land were devoted to the opening up of the road, settlement would be stopped. Had the Assembly not passed the Act of 1872, the claims of these persons would have been settled under the law that then existed for about 4,000 acres, while under the proposed arrangement it would take 11,000 or 12,000 acres of land. As the province had not only to survey the land but to construct roads, it was proposed to give from the colonial funds the sum of £6,000, or one-third of the award. He hoped the House would consent to the Bill, as its object was to settle claims that had been standing for many years, which had caused a great deal of discussion in the House, and which had, no doubt, got into such a position that the colony was bound to settle them sooner or later.

Mr. REYNOLDS must say that he did not see his way clear to agree to clause 4 of the Bill. Seeing that an arrangement had been made between the Superintendent of Taranaki and the Government with regard to the compensation to be given to these parties, he should not object to the Bill, but he did not see why the colony should be compelled to expend £6,000 when the claim was entirely on the Land Fund of Taranaki. There were other parts of the colony where such allowances had been made. In Otago claims were preferred in a similar way—for example, in the case of the late Mr. John Jones; but the Province of Otago never sought any money compensation from the colony, but at once granted permission to select the land which the House had considered necessary to be given as compensation. He trusted the honorable member in charge of the Bill would, in Committee, consent to eliminate the section.

Mr. STAFFORD hoped members of the House would not entertain the opinions expressed by the honorable member for Port Chalmers. His own opinion was that the province might have asked even higher terms. The circumstances were not at all similar to those to which the honorable member had referred. In that province and other provinces, any claim upon the land must be discharged, and very properly so, by the province alone; but in this case the colony had taken away the land from the province. There was not the least doubt that the colony had taken land to a greater amount than £6,000 away from the Province of Taranaki. If that had not been so, it would have been idle to have expected the House to have recognized any liability on the part of the colony in respect to this matter. The mode in which the compensation was proposed to be given appeared to him to be the most judicious way that could be devised, for it would lead to opening up the country for settlement. The colony having taken from the province much more land than would be equal in value to this sum, it was but just that the colony should make some recognition of that by giving a grant of money, not for provincial

departmental purposes, but for opening up the country in a manner that would lead to further sales of land. He trusted the honorable member would not persevere in his opposition to this clause. Those who represented the province might have asked for one-half of the value of the land, instead of one-third, to be expended in such a judicious manner as that proposed.

Mr. W. WOOD said the colony had not taken away the land from the Province of Taranaki. The land had been obtained at the cost of the colony, and not at the cost of the province; and therefore, when the land ceased to be the property of the Native owners, it became the property of the colony. He did not see how it could be said that the Colonial Government had taken something away from the Province of Taranaki. If that was the only reason why this expenditure of £6,000 should be agreed to, it was a very poor reason; and he would like to hear a better one before he agreed to the second reading of the Bill.

Mr. MURRAY said that when he read over this Bill he thought the clause had slipped into it by some oversight, and he was not prepared to hear the statement made by the Premier that it was actually contemplated to give this large tract of land to the petitioners, and also to give £6,000 for providing access to it. It looked very much like a job, as the Premier came from that province, that this money should be given to it at the expense of the rest of the colony. He understood the facts of the case to be that 1,500 acres of land were taken from the petitioners Sartoris, Downe, and others, in the township of Waitara, for which they were to be compensated by giving them land outside that township, in the Province of Taranaki. He believed the township of Waitara was now in the possession of the provincial authorities of Taranaki; yet it was asked that the land bought by the colony, and confiscated land acquired at enormous cost to the whole colony, should be handed over to Taranaki, and also that these petitioners should be reimbursed out of that confiscated land: that was to say, the colony was to pay twice over for the land, and to give £6,000 as a special advantage to the Province of Taranaki and as a special advantage to these people. In 1872, when these claims were made, parties were very evenly balanced in this House. He would not express his opinion as to the transaction that then took place further than to say that, if parties had not been so evenly balanced, possibly the claim of the petitioners would not have received very favourable consideration. As the colony had been committed to an enormous expense in consequence of that action, it was wrong to saddle it with £6,000 in addition to £17,000, the value of the land. He believed the House was bound to give effect to the first part of the Bill; but he trusted that the House would not lend itself to any such transaction as that proposed in clause 4.

Mr. KELLY said the honorable member talked of saddling the colony with £17,000, but it appeared that the colony was saddling the Province of Taranaki with £17,000. The honorable mem-

ber talked of the township of Waitara being in the hands of the Provincial Government; but it was not now, and had never been. The colony had thought proper to award £17,000, but the province could have settled the matter for £6,000; and if the colony made an award over and above that, they must pay something towards it. The province ought to receive £10,000 instead of £6,000 in order to settle this claim. However, as a representative of the province, he had with some reluctance agreed to accept the proposal of the Government, in order that these claims should be settled.

Bill read a second time, and considered in Committee.

Clause 4.—£6,000 to be paid out of Public Works Account towards construction of road between Inglewood and Hawera.

Mr. MURRAY moved, That the clause be struck out.

Question put, "That the clause stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	39
Noes	...	...	...	...	10
Majority for	...	...	...	...	29

AYES.

Mr. Andrew,	Mr. Ormond,
Major Atkinson,	Mr. Pearce,
Mr. Barff,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Seymour,
Mr. Bryce,	Mr. Sheehan,
Mr. Bunny,	Mr. Stafford,
Mr. Button,	Mr. Stevens,
Sir B. Douglas,	Mr. Swanson,
Mr. Fitzroy,	Mr. Taiaroa,
Mr. Hamlin,	Mr. Takamoana,
Mr. Hunter,	Mr. Tawiti,
Mr. Johnston,	Mr. Teschemaker,
Mr. Kelly,	Mr. Wakefield,
Mr. Kennedy,	Mr. Wason,
Captain Kenny,	Mr. Whitaker,
Mr. Larnach,	Mr. Williams.
Mr. Lumsden,	<i>Tellers.</i>
Mr. G. McLean,	Mr. Carrington,
Mr. Nahe,	Mr. Harper.

NOES.

Mr. Fisher,	Mr. Tole,
Mr. Gibbs,	Mr. W. Wood.
Mr. Montgomery,	
Mr. Rees,	<i>Tellers.</i>
Mr. Rowe,	Mr. Murray,
Mr. Thomson,	Mr. Reynolds.

The clause was consequently agreed to.

Bill reported without amendments, and read a third time.

SCHOOL OF MINES.

On the motion for going into Committee of Supply,

Mr. BARFF moved the following resolution: "That this House do resolve itself into a Committee of the whole, to consider of an address to

His Excellency the Governor, requesting him to place upon the supplementary estimates the sum of £2,000, for the establishment of a School of Mines in this colony." He did not intend to speak on the subject then, and he trusted the House would give him an opportunity of going into Committee on the subject.

Major ATKINSON said the Government had already expressed an opinion on the subject. It was one of very considerable importance, and they proposed to make inquiries into it during the recess, with a view, if they could see their way to do it, of establishing a School of Mines at as early a date as possible. He wished to be distinctly understood that in suggesting that the resolution should be negatived, he was not at all opposed to the proposal.

Mr. BARFF said he was willing to accept the pledge of the Government.

Motion negatived.

COLONIAL FINANCE.

Mr. MURRAY desired to show that the House should not go into Committee until a grievance which existed had been redressed. The matter to which he wished to refer had been carefully considered by the Public Petitions Committee, and their report was confirmed by this House. The petitioner had applied to the Public Works Department for redress, but failing to obtain it he petitioned the House. He believed the Government now declined to give effect to the resolution of the House, but intended to remit the matter to one of their own officials, thus placing a servant of the Government above the Legislature. The decision of a servant of the Government was to supersede the verdict of the Public Petitions Committee, and the resolution adopted by the House. He trusted the Minister for Public Works would do justice in this case. The petitioner had sustained an enormous loss through the neglect and inefficiency of an officer of the Government. The work in which the petitioner was engaged had to be carried on in unfavourable weather, and he had thereby incurred a loss of about £5,000, the savings of a lifetime. The Public Petitions Committee were satisfied with the justice of the petitioner's claim, and reported upon it to the following effect:—"That a competent and impartial person should be appointed to determine the amount of the claims of Joshua Goodfellow, in order to their fair and early settlement." He thought the Government would hardly deny the justice of adopting the recommendation of the Committee. He was precluded from moving the resolution of which he had given notice, and he therefore left the matter in the hands of the Government, in the hope that they would act fairly towards the petitioner. It was impossible for the Committee to estimate the actual loss sustained by the petitioner; otherwise they would have recommended that a specific sum should be placed on the estimates to recoup that loss. It remained for the Government to appoint a competent and impartial person to determine the loss which the petitioner had sustained. He would leave the matter in the hands of the Government, and trusted to their honor and sense of justice

to rectify the great wrong done to the petitioner. He had intended to make some remarks on the position of the finances of the colony, but he thought the present time was inopportune. It was late in the session, but, to meet the wish of some honorable members, it might not be altogether amiss to refer to the proposals of the Treasurer. They were now asked to vote on the supplementary estimates the large sum of £215,000; and they were asked to vote a large sum on the Public Works estimates, to be paid out of loan. His honorable friend the member for Akaroa had well pointed out on a late occasion that the ordinary revenue would not by a very large sum meet the ordinary expenditure. No reply was made by the Treasurer to that statement, so that the honorable gentleman's arguments appeared to be incontrovertible. He would show, from figures taken from the Treasurer's own statement submitted to the House, the state of the ordinary revenue and expenditure, putting aside all manipulating of accounts, and charging and countercharging, and supposing that the whole of the revenues were put into one common purse:—

	STATEMENT No. 2.	£	£
Ordinary revenue, 12 months	...	1,716,850	
Railways	...	690,000	
Land revenue "from rents, deferred payments, &c.	...	151,340	
Education, rents, and fees	...	72,330	
Ordinary expenditure	...		1,895,303
Railways	...		531,516
Education	...		213,968
Crown and confiscated lands, ordinary management Land Court, &c.	...		30,189
Charitable	...		34,370
Municipalities	...		150,000
		<u>£2,630,410</u>	<u>£2,845,145</u>
			2,630,410
			<u>214,735</u>
Treasurer's over-estimate for quarter (£12,894 x 4), Customs	...		51,576
Deficiency on year	...		<u>£266,311</u>
Extraordinary receipts,—		£	£
Land sales, estimate	...	2453,980	
Extraordinary expenditure,—			
Surveys, &c.	...		86,025
Road Boards	...		96,000
		<u>2453,980</u>	<u>£182,025</u>
		182,025	
Surplus, apparent	...	<u>£271,955</u>	
	1876-77—ESTIMATE No. 2.	£	£
Apparent surplus from land sales	...	271,955	
Treasury statement of balances due on Land Fund (for 12 months) to			
Taranaki	...	£26,360	
Canterbury	...	150,312	
Otago	...	2,468	
		<u>179,930</u>	
Apparent surplus land sales	...	92,995	
Deficiency, ordinary revenue	...		266,311
		<u>£92,995</u>	<u>£266,311</u>
			92,995
Deficiency for year to be met by Treasury bills			<u>£173,316</u>

And if to this we add the supplementary estimates of £215,000, the deficiency would be increased to £388,316. He would ask, was there a prospect

of the Customs revenue being maintained or increased so as to make up this deficiency? He said unhesitatingly that that deficiency would not be recouped. If they considered the enormous amount of money which had been spent on public works, the enormous increase of indebtedness, and the consequent effect upon trade during the last few years, they would find that it was extremely probable that the Customs revenue would not only not be increased, but would be largely diminished. He would now refer to the general increase of indebtedness during the past few years, and this was a matter which he would especially bring under the consideration of honorable members. He found that increase to be as follows:—

Debts due to Banks in 1870	£4,237,713	
" " " 1875	9,115,191	
" " " " " "		£4,877,478
Mortgages, Land Transfer	4,244,013	
Mortgages under old system—		
1871-72, no returns made two years,		
say increase (same as 1873)	1,063,454	
1873, effected	£1,427,389	
" releases	906,063	
		531,327
1874, effected	2,388,104	
" releases	979,560	
		1,408,544
1875, effected	2,039,397	
" releases	911,533	
		1,117,864
	4,120,069	
Total mortgage increase		8,364,113
Total private		£13,241,590

NEW ZEALAND.—IMPORTS AND EXPORTS.

—	Imports.	Exports.	Deficiency.	Imports per head.	Exports per head.	Population, including Natives.
1869	£4,841,400	£4,090,184	£751,266	£ s. d. 17 14 4	£ s. d. 14 19 4	273,249
1875	8,029,172	4,693,082	3,336,140	19 2 6	11 2 0	420,000
Increase	3,187,772	602,898	2,584,874	1 8 2	...	146,751
Decrease	...	...	...	...	3 17 4	...

WOOL EXPORTED.

—	Pounds.	Net Value.	Per lb.	Government Estimate.	Per lb.	Over-estimate.
		£	s. d.	£	s. d.	£
1870	37,089,768	1,703,944	0 10½	...	...	...
1875	54,401,540	2,262,560	0 10	3,396,155	1 2½	1,135,595
Increase	17,361,772	558,616				

1866	}	New Zealand Imports, 10 years	...	...	...	...	...	256,407,880
to		" " Exports	"	...	...	...	...	47,158,063
1876	}	Excess of Imports over Exports, 10 years	...	...	...	...	...	<u>29,339,847</u>
1873		Imports, 3 years	...	...	...	...	...	...
to	}	Exports	"	...	...	...	...	15,323,161
1876		Excess in 3 years, Imports over Exports	...	...	...	...	...	<u>27,060,992</u>

Brought forward	£13,241,590	
Debts—Municipalities, Harbour and Road Boards, &c., say	1,000,000	
Colonial debt in 1870, net	£7,269,469	
in 1875, £18,734,761		
Sinking Fund	1,206,331	
	17,536,429	
Increase	10,259,990	
General and provincial liabilities to provide for, after exhausting all authorised loans and balances (over)	1,000,000	
Total increase in Government debts and liabilities	11,259,990	11,259,990
Total debt increase since 1870	£25,501,550	

Population, 375,856 in 1876; debt increase per head, £67 6s. Britain on 32,000,000, at £67 6s.=£2,160,000,000, or about thrice her national debt.

It might be asked, how had this debt been incurred? If honorable members would refer to the imports and exports, they would find that, during the past three years, the imports had exceeded the exports by £7,060,992. He would here refer to an error which appeared in the estimates of the exports. He referred to the item of wool, which was estimated at 1s. 2½d. a pound, which he thought honorable members would admit was far above its value. Taking the value of the wool at 10d., which he believed would be the real estimate, the value of our wool export had been over-estimated by £1,135,595.

NEW SOUTH WALES.

—	Imports.	Exports.	Surplus.	Imports per head.	Exports per head.	Population.
1874.	£ 11,293,739	£ 12,345,603	£ 1,051,864	£ s. d. 19 16 0	£ s. d. 21 12 9	580,000

Quarter ending 30th September:—

1876.	Exports,	£581,997 ...	Imports,	£1,767,207 ...	Dr. Balance of Trade,	£1,185,210
1875.	"	767,891 ...	"	2,041,237 ...	"	1,273,346

Falling off, £185,894

Falling off, £274,030

1876.	Wool, 1,376,364 lbs. @ Government estimate, 1s. 5d.,	£91,299
	@ 10d.,	57,848

Value of wool over-estimated by £33,951 for the Quarter.

1875. Wool @ 1s. 2½d., £103,183, Exports September Quarter, 1876.

1876. " @ 1s. 5d., 91,299: Falling off, £185,894

Falling off in } £11,884
wool export }

Rate of fall per year ... £743,576

Some honorable members held the belief that an excess of imports over exports was a sign of great prosperity in a colony, and that if New Zealand continued to import more than she exported the colony would be enriched thereby. On this question he would refer to Professor Cairnes. It had been said that if nations and States continued to import more than they exported, they must be poorer in consequence; but, on the other hand, it had been pointed out that the imports of Great Britain exceeded the exports. Now, Mr. Cairnes stated,—

"Great Britain has long been in the position of a lender to other nations and her own colonies; has lent and invested money freely, and been a large purchaser of foreign stocks. They thus became her debtors, and, in the form of profits, interest, and dividends, are compelled to send her, year by year, value to a large extent for which no payment in return is required. Here we find the large normal excess of imports over exports explained, and, in the case of Great Britain, the indispensable conditions of commercial equilibrium, but for which the proportion in exchange of products could not be maintained."

"No nation can continue to pay its foreign debts by the process of incurring new debts to meet a balance yearly accruing against it."

He would not detain the Committee by going very fully into this question, and would only show how the facts he had adduced would bear on the future prospects of the colony:—

1876.—Colonial debt and covered liabilities ... £19,543,194
Liabilities over assets and authorized loans ... 436,550

Doubtful assets if recovered ... 19,979,744
242,596

£19,737,350

Expenditure Immigration and Public Works to 30th June, 1876	£7,081,460
1875 to 30th June, 1876	2,666,941
	9,751,101
Liabilities ...	853,263
	10,734,354
Provincial liabilities	750,000
	£11,484,354

Funds available, as per "Immigration and Public Works Appropriation Act, 1875" ... £11,280,190
Debt unprovided for ... 194,164

To which will have to be added any of the sum of £242,368, put down as assets in "Immigration and Public Works Appropriation Act, 1875," which may not be recovered.

Yearly debt, charge on debt, &c., as above	£1,045,000
Mortgages since 1870, £2,364,112, at 8 per cent.	£266,800
Municipal, Harbour, &c., £1,000,000, at 6½ per cent.	65,000
Banks, £2,115,191; Colonial Funds, say £4,115,191; Foreign Funds, £5,000,000—say dividends and interest, average 8 per cent.	400,000
	1,138,000

NOTE.—Bills of sale, liens, &c., on crops, stock, and station securities by other than banks not included. No mortgages before 1871 included. Those will, as estimated, considerably exceed all loans by colonists to colonists, and by colonists to Government and other bodies.

£3,178,000

NOTE.—To this should be added remittances to absentee proprietors, a very large amount, which cannot be easily ascertained, if at all.

£

NOTE.—Fall in September quarter, 1876, £185,894 x 4 = £743,576.

He had not been able to arrive at any estimate of the actual amount of advances upon station property, and the amount of loans and bills of sale, nor at the amount of mortgages which were due by the colony privately before the year 1870, which would amount to a very large sum, and estimated at £7,000,000; but he would admit that the whole of that was owing to creditors within the colony. In addition to that, there were large numbers of absentee proprietors and runholders, and he knew of merchants and capitalists outside of the colony, men who had never set their foot in it, who drew £20,000 to £30,000 a year from this colony for rents. These would swell the amount of private indebtedness to a vast amount; but excluding these, and putting it in the most favourable aspect for private and colonial debt charges, £2,178,000 had to be sent out annually from the colony to meet liabilities. During the past year the exports from the colony amounted to £4,693,032; and if they deducted these debt charges, £2,178,000, a balance was left of £2,515,032 to pay for imports; but the imports in 1875 amounted to £3,029,172, thus showing a deficiency of £5,514,140. That, to his mind, proved that the colony could not continue to import so largely as it had done. Goods and property would fall in value, and money would increase in value. That would continue until, in the natural course of trade, the proportion of the imports to the exports was of a more healthy character. To this enormous amount of importation, to this vast increase of public and private indebtedness, amounting to £25,000,000 during the last five years, was to be attributed a large amount of the prosperity of the colony, which had been attributed to what was magniloquently called the heroic policy of colonization, and to the great scheme of public works, under which New Zealand was to advance to a foremost position among British colonies. At that late period of the session, with regard to the question of railways, he would not trespass upon the courtesy of this House, further than to remark that the position of New Zealand, with regard to its railways, was very much less favourable than that of the Australian colonies. There railways radiated from immense centres, and opened up a vast continent; whereas the New Zealand railways always skirted the sea shore, thus drawing no source of trade on one side, but coming into competition with Nature's highway—a highway that ran round the coast of New Zealand for 3,000 miles, and required no renewals or repairs. He would thank honorable members for their courteous hearing, and their wishes that he should proceed; but he thought he would not be consulting their comfort if he proceeded further at this late hour. He would merely express his regret that the Government had not adopted a course suggested to them last session. He had refrained from taking any part in the discussion of the political question which occupied so large a portion of this session—discussion which was due to the fact that the Legislature did not permit the Provincial Councils to meet during the recess. He felt convinced that much of the ill-feeling, much of

the wrangling, much of the conflict of opinion, would have been saved, if the Government had adopted the advice he had then given to them, and had permitted the Provincial Councils to meet to discuss Abolition, and to discuss the Counties Bill and other measures. He felt convinced that the Counties Bill, as passed by the Government, would neither financially nor politically be a success. It was merely a tentative measure. He did not blame the Government for what had been done, for he believed they were actuated by a desire to promote the welfare of the Colony of New Zealand. He sympathized with them, because they had a very difficult position to fill, and one which should demand the sympathy of every one who had the welfare of New Zealand at heart. He felt convinced there were difficult times coming upon the colony, caused by extravagant expenditure both privately and publicly. A day of reckoning was at hand, and the honorable gentleman who now held the helm and guided the ship of State would have a very difficult part to play in keeping it clear from financial disasters, with the Constitution in ruins, and an enormous and increasing expenditure to be met out of a diminishing revenue.

SUPPLY.

The House then went into Committee of Supply.

LIABILITIES OF 1875-76.

Chargeable on Consolidated Fund, £76,395.

Major ATKINSON said the sum consisted of liabilities of last year—of votes which had not been actually expended at the end of the year, and for which fresh votes were obliged to be taken.

Item, Liabilities of 1875-76, £76,395, agreed to.

CLASS I.—PUBLIC DEPARTMENTS.

Legislative Departments, £9,257 10s.

Mr. REYNOLDS moved, That the item "Examiner of Private Bills, £200," be struck out. A great discussion took place in respect of an item on the estimates of £50 for this officer. There were about four private Bills per annum, and it was rather too much to pay £250 for that. He felt certain that the permanent officers of the House, under the direction of the Speaker, could perform the duties of this office without any inconvenience whatever.

Question put, "That the item 'Examiner of Private Bills, £200,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	39
Majority against	...	...	...	...	24

AYES.

Mr. J. C. Brown,	Mr. Swanson,
Mr. Fisher,	Mr. Thomson,
Mr. Hursthouse,	Mr. Wakefield,
Mr. Kennedy,	Mr. W. Wood,
Mr. Murray,	Mr. Woolcock.
Mr. Murray-Aynaley,	<i>Tellers.</i>
Mr. Seaton,	Mr. Burns,
Mr. Shrimski,	Mr. Reynolds.

NOMS.

Mr. Andrew,
Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Mr. Bunny,
Mr. Button,
Mr. Carrington,
Mr. De Lautour,
Mr. Fitzroy,
Mr. Gibbes,
Mr. Hamlin,
Mr. Harper,
Mr. Hunter,
Mr. Johnston,
Mr. Joyce,
Captain Kenny,
Mr. Larnach,
Mr. Lumsden,

Mr. Montgomery,
Mr. Nahe,
Mr. Pearce,
Mr. Rees,
Mr. Reid,
Mr. Rolleston,
Mr. Rowe,
Mr. Seymour,
Mr. Stafford,
Mr. Stevens,
Mr. Takamoana,
Mr. Tawiti,
Mr. Teschemaker,
Mr. Tole,
Mr. Wason,
Mr. Whitaker,
Mr. Williams.
Tellers.
Sir R. Douglas,
Mr. Sheehan.

PAIES.

For.

Mr. Dignan,
Sir G. Grey,
Mr. Hialop,
Mr. Hodgkinson.

Against.

Mr. Manders,
Mr. Curtis,
Mr. Tribe,
Mr. Pyke.

Mr. REYNOLDS's amendment was consequently negatived.

Mr. J. C. BROWN moved, That the general words "additional expenditure owing to the unusual length of the session," be struck out. They were entirely unnecessary, and, moreover, were opposed to fact. In 1870 the session was not prorogued till November, and was four months in duration. They ought to be truthful in what they stated.

Major ATKINSON said these items were brought down because of the length of the session. What the length of the sessions might be in future years was another question; but there was no doubt that the votes were justified by the extra work entailed.

Amendment negatived.

Mr. REYNOLDS pointed out that the item "Bonus to Clerks, £150," had already been refused this session, and he wished to know whether it could be brought up again.

Mr. ROLLESTON reminded the honorable member that this was a different class of expenditure. Formerly it was put down as increase of salary. The Government now asked the House to vote it as bonus.

The CHAIRMAN said it was not out of order to propose such an item.

Mr. REYNOLDS in that case would move that the item be struck out.

Mr. BURNS asked whether the sum was to be devoted to the same object for which it was previously asked.

Major ATKINSON said it was intended to be paid to the same officers, but not with the same object. Formerly it was proposed as a permanent increase: now it was to be given by way of bonus. The Clerks had had to perform a great deal of extra work, and the Speaker of the Upper House, at the request of the Council, had

urged that the sum should be placed on the estimates.

Mr. BURNS wished to say that he voted against this item on the former occasion, and regretted having done so.

Amendment negatived.

Mr. MURRAY would move the omission of the item, "Expenses of members of both Houses, £26,667 10s." The debates on this honorarium subject were not very dignified, and he had taken no part in them. He would merely say that the position of the colony was not such as to allow of members being paid salaries. This was not really a salary, for three times the amount would not be sufficient; and if it was meant as an honorarium the present amount was quite sufficient.

Mr. SWANSON called attention to the items "Mr. Speaker, £200," and "Chairman of Committees, £100." It was not a very pleasant task to call attention to these items; but he must say he did not think those gentlemen were underpaid. He would move that the first of the two items be struck out.

Mr. REYNOLDS could not understand the action of the Committee, after passing a resolution instructing the Government to retrench, passing items, by a large majority, which had on a previous occasion been struck out. He regretted very much to see that action; but it merely carried out his own words, that neither the Government nor the Committee were in earnest in regard to retrenchment. He would support the motion of the honorable member for Newton with regard to the striking out the sum for expenses of members of the two Houses. He thought that, seeing all these items were to be increased, it would be far better to leave the whole matter to the Government, and let them take their own way. It had already been decided that the remuneration was to be increased.

Mr. MURRAY said the Speaker of New Zealand was the worst-paid Speaker of any colony. The usual custom was for the Speaker to receive the same remuneration as Ministers of the Crown, whereas our Speaker did not receive more than half.

Mr. SWANSON's amendment negatived.

Mr. SWANSON moved, That the item, "Chairman of Committees, £100," be omitted.

Amendment negatived.

Mr. REES wished for some information with regard to the item, "Chairman, Native Petitions Committee, £100." It was quite right that the Chairman of the Public Petitions Committee should receive some remuneration, because the duties he had to perform were exceptionally arduous, but he did not see why any such distinction should be made between the Chairmen of other Committees. He begged to move, That the item be omitted.

Mr. HURSTHOUSE said this item was placed on the estimates in consequence of a recommendation made by the unanimous vote of the Committee. Not only had the Chairman of this Committee to work very hard, but the work was much more unpleasant than that of the Chairman of the Public Petitions Committee, as taking the evidence of Natives was very troublesome. He

might say that the Native Petitions Committee had been called together by the Chairman whenever it was possible to get a quorum, and he was never absent from his post.

Mr. ROLLESTON would merely say that he felt certain the work of this Committee was no less troublesome than that of the Public Petitions Committee.

Mr. SHEEHAN wished there were no more objectionable items on the estimates than this one, and hoped the amendment would be withdrawn.

Amendment negatived.

Mr. MURRAY's amendment negatived.

Item, £9,257 10s., agreed to.

Electoral Department, £1,045, agreed to.

CLASS II.—LAW AND JUSTICE.

Supreme Court, £50, agreed to.

District Courts, £50, agreed to.

Resident Magistrates' Courts, £486 15s., agreed to.

Wardens' Courts, £387 10s., agreed to.

Criminal Prosecutions, £1,000, agreed to.

Police, £399 18s., agreed to.

Gaols, £2,945 7s.

Major ATKINSON might explain, with regard to the amount set down for the Auckland Gaol, and also with regard to the following vote of the Auckland Lunatic Asylum, that these were additional estimates sent in by his Honor the Superintendent within the last few days. The Government were not at all prepared to spend the whole of this money; but as his Honor had sent the estimate in, they would make inquiries, and see what was necessary.

Item, £2,945 7s., agreed to.

Lunatic Asylums, £19,470.

Mr. ROLLESTON hoped it would be open to the Committee to reconsider its previous decision with regard to the Inspector of Lunatic Asylums. With that object he would move that the vote be reduced by £1,500, as a test of whether the Committee really wished to stand by its former decision. He believed the Committee would now see that that decision was by no means an economical one.

Mr. SHEEHAN, calling attention to the item "Passage of Inspector and Family from England, £365," would like to know why the colony should pay for the passage of this gentleman's family. He also believed that the amount put down for compensation was a deliberate statement to the Committee, "Don't you try to make reductions, or you shall see what you will have to pay for it." He would move, That the item £2,365, for compensation to the Inspector, be struck out, and then let the Government do what they could in the matter during the recess.

Major ATKINSON said the House had instructed the Government to obtain an Inspector of Lunatic Asylums, whom it had been found necessary to engage for three years, and whose passage out from England had to be paid. In bringing him out, the Government had only been doing their duty. If the engagement were not carried out, the gentleman who had been engaged would have an action for damages against the Government.

Mr. BUNNY hoped, now that the Inspector had arrived, his services would be retained, in order that the colony might not have to pay him a large sum as compensation.

Mr. ANDREW wished to know whether this officer's salary commenced from the time of his leaving England or from the time when he arrived here.

Major ATKINSON could not say at present, but his impression was that his salary was to commence from the date of arrival in the colony.

Mr. J. O. BROWN did not see why they should pay this gentleman three years' salary. He thought the Government could compound with him.

Mr. FISHER thought, now that the gentleman was in the colony, he had better be kept.

Mr. BURNS thought the office of Inspector of Lunatic Asylums was an unnecessary one; but, as the officer had arrived, it might perhaps be better to employ him for the time for which he had been engaged.

Sir R. DOUGLAS thought the best thing they could do under the circumstances was to employ this gentleman, and give him three years' notice of the termination of his engagement. Under the circumstances, he thought the House might rescind the resolution which it passed a few nights previously.

Mr. SHEEHAN agreed with that proposition. He considered that the Government had gone beyond their power in making a three years' engagement with this gentleman.

Mr. SWANSON thought it would be a great waste of money to pass this item. He thought the gentleman who had come out should be put in charge of one of the asylums in the colony, and at the end of three years they would be able to say whether he was the eminent man he was said to be. If he were found to be all that he was described to be, they could give him charge of all the asylums. He should, however, be made to work under exactly the same conditions as the other Superintendents of Lunatic Asylums had worked under hitherto in the colony.

Mr. JOYCE objected to passing the vote for compensation. He had heard during the session that one asylum in the colony was not at all well managed, and he thought that this gentleman might be put in charge of that establishment. Then he would have time to visit the other asylums in the colony.

Mr. REID hoped this officer would not be made a General Inspector of Asylums. He might be put in charge of the asylum where the most patients were, and then it would be seen what he was worth. At the same time he must not be made a travelling Inspector, with a large staff.

Mr. ROLLESTON said that no vote had been taken for a staff, therefore there would be no such thing. He felt sure that the colony would derive advantage from having an Inspector of Asylums.

Mr. SWANSON would like to know whether this officer was to be put in charge of one asylum or to be a travelling Inspector.

Major ATKINSON said this gentleman had

been appointed as Inspector of Asylums. Inspection was undoubtedly required, but whether they should merely confine the officer to taking charge of one asylum was a question for the future. In order that the Government might be in a position to judge of the real wants of the asylums throughout the colony, it was necessary that this officer should visit the whole of them and make a report. It would then be for the House to decide next year what course should be pursued.

Mr. ROLLESTON's amendment agreed to.
Item, as reduced, £17,970, agreed to.

CLASS III.—POSTAL AND TELEGRAPH.
Postal Department, £2,250, agreed to.

CLASS IV.—CUSTOMS.
Marine, £1,675, agreed to.

CLASS V.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

Miscellaneous, £16,578 2s.

Mr. BURNS wished to say something with reference to the bonus for the production of paper. He hoped the Government would insist upon this bonus not being given unless it was proved that the paper was made from native products, and not from old ropes, canvas, and things of that sort. He also hoped that before the bonus was paid to any individuals or number of individuals the Government would see that the concern was in a flourishing condition, and would not collapse as soon as the bonus was paid. He regretted exceedingly that the Government had not intimated some time ago that they were prepared to extend the time for this bonus. He knew of his own knowledge that the fact of their not doing so had prevented the establishment of a very superior mill.

Mr. SHEEHAN thought there was a good deal of the "Dear Pollen" business in this class, in the shape of "Balance of honorarium to Sir Julius Vogel for services in England, £2,750." He would move that the item be struck out.

Mr. JOYCE would like to have some information about the item "Bonus to Colonial Architect, £500."

Mr. RICHARDSON said this gentleman's office had been before the Committee within the last few days, and the Committee understood that by his engagement he received a salary of £700 a year, and was entitled to private practice. He had a very considerable private practice up to the year before last, but since that date the Government work had increased to such an extent that he (Mr. Richardson) insisted upon his giving up his private practice so as not to interfere with the work of the Government. He made a representation to the Government respecting the loss he had sustained through his (Mr. Richardson's) action, by which he had been absolutely compelled to give up nearly all his private work to another architect in the city, and made a request for compensation in the shape of a bonus of this kind. The Government considered it was only right to ask the House for this amount, as he was justly entitled to it.

Mr. JOYCE said that the explanation of the Minister for Public Works did not in the slightest degree interfere with the conclusions he had arrived at long since. In the first place he considered the Colonial Architect was a solecism—something that they ought never to have had. He thought they would be a great deal better without him, and he objected entirely to this additional vote. He maintained that this officer never had a right to be Colonial Architect. Any man who travelled through the country must see that his works were a disgrace to the colony. They were absolutely an insult to any man of taste, and mere rude specimens of carpenters' gothic. The proper course for the Government to have adopted would have been to call for competitive designs for their public buildings. If the Committee agreed to this vote, they would be proving themselves more stupid and less capable of judging of what was right than the person to whom it was proposed to give this bonus of £500. He moved that the item be struck out.

Mr. RICHARDSON could not allow the remarks of the honorable member to pass unnoticed. He was quite certain that Mr. Clayton's abilities were not correctly described by the honorable gentleman. Strangers who came to this place from other parts thought quite differently of the buildings erected by the Colonial Architect. The works of that gentleman could speak for themselves. He did not, for a moment, state that he approved of the officers of the Government taking private practice; but it should be remembered that any architect's commission for the design of the public buildings, not including the ordinary commission for their erection, would amount to a very large sum, and in the case of one building lately designed by the Colonial Architect, to more than the whole cost of this department. He thought it only right to defend that gentleman against the attack made upon him when he was unable to defend himself.

Question put, "That the item be omitted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	24
					—
Majority for	...	...	...	...	2
					—

AYES.

Mr. Andrew,	Mr. Rowe,
Mr. Barff,	Mr. Scaton,
Mr. Brandon,	Mr. Stevens,
Mr. J. C. Brown,	Mr. Swanson,
Mr. Fisher,	Mr. Taiaroa,
Mr. Gibbs,	Mr. Tawiti,
Mr. Hamlin,	Mr. Techemaker,
Mr. Johnston,	Mr. Thomson,
Mr. Joyce,	Mr. Wason,
Mr. Kennedy,	Mr. W. Wood.
Mr. Montgomery,	
Mr. Murray-Aynaley,	
Mr. Nahe,	
Mr. Rolleston,	

Tellers.

Mr. Murray,
Mr. Rees.

NOMS.

Major Atkinson,
Mr. Bowen,
Mr. Button,
Mr. Carrington,
Mr. Fitzroy,
Mr. Harper,
Mr. Hunter,
Mr. Kelly,
Mr. Larnach,
Mr. Lumden,
Mr. Manders,
Mr. G. McLean,
Mr. Pearce,

Mr. Reid,
Mr. Richardson,
Mr. Seymour,
Mr. Sheehan,
Mr. Stafford,
Mr. Takamoana,
Mr. Wakefield,
Mr. Whitaker,
Mr. Woolcock.

Tellers.

Mr. Bunny,
Mr. De Lautour.

PATRS.

For.

Mr. Dignan,
Mr. Hialop,
Mr. Hodgkinson.

Against.

Mr. Manders,
Mr. Tribe,
Mr. Pyke.

The item was consequently struck out.

Mr. SHEEHAN moved the omission of the item, "Balance of honorarium to Sir Julius Vogel for services in England, £2,750." He said they could always pick out some item on the estimates which would indicate their intention to effect reduction. If there ever was any public man in the colony who could be said to have been extravagant in the expenditure of public money, that man was Sir Julius Vogel. Any one who had paid attention to the proceedings of the Public Accounts Committee would feel convinced that the amount expended by Sir Julius Vogel in England was entirely beyond all reasonable limits. He would not occupy the time of the Committee with any further remarks, but would take the vote, which would show who were really in favour of retrenchment.

Major ATKINSON did not think that this was a question of retrenchment; it was a payment for very important services that had been rendered by Sir Julius Vogel. However they might differ in their views as to the policy initiated by Sir Julius Vogel, there was no doubt that he had done a great work in this country. It was simply a matter of opinion whether that honorable gentleman had been too extravagant or not. He thought that, under all the circumstances, it would be admitted that they had a great deal to be thankful for, seeing that they had got so much for their money. Although the mission had been very costly, the country had saved, after paying all Sir Julius Vogel's expenses, this included, £2,000 in the shape of commission which they would have had to pay if the loan had been raised by the Crown Agents. Looking at the services which Sir Julius Vogel had rendered to the colony, he hoped the Committee would pass this vote.

Mr. REES would like to point out that this vote was not a balance of honorarium to Sir Julius Vogel; it was an amount to be paid him as expenses, and not as a reward. Sir Julius Vogel had been fifteen or sixteen months absent from the colony, and he spent between £6,000 and £7,000 on his own personal account. During a great portion of the time mentioned Sir Julius Vogel was on the water, and he must have spent

this £2,750 after the month of June. No member of the Committee would begrudge to Sir Julius Vogel the payment of reasonable expenses; but they were now asked to vote an expenditure at the rate of nearly £7,000 a year. It would be a dangerous precedent for the colony to establish, to sanction an expenditure larger than was paid to the English Ambassador to Russia or France. The amount agreed upon by the Cabinet and Sir Julius Vogel was £1,500, and it was then expected that he would be Home in July. It seemed to him that Sir Julius Vogel should not have borrowed money for expenses which the colony was to pay without the assent of Parliament having been obtained. The sum he had received was more than sufficient to pay his reasonable expenses.

Mr. JOYCE said that on the last occasion when Sir Julius Vogel came prominently before them it was on the eve of his retirement, when he made a very pathetic address which silenced him (Mr. Joyce), although he had been opposed to Sir Julius Vogel for years. He could not, however, forget that this gentleman had made a very unfair use of the colony, and that he went to England without the authority of the House. With the example of such a case before them, it would be well for the House to take care that no Minister should again leave the colony without authority. It was wrong for Sir Julius Vogel to desert the colony as he did. He went away and incurred those liabilities, and it would have been well if he had been made personally liable. They had been told that Sir Julius Vogel had retired from public life. That was not so. He had taken the same lead as he had before. He had taken charge of the office, made men subservient to him, and compelled a certain number of men to give him the authority to go Home. The House did wrong to trust him, and would do wrong if they voted this allowance, which he ought not to have spent, and which, if it had been spent by any one employed by a private firm in excess of the sum allowed, would have entailed punishment under the law upon that person.

Major ATKINSON said the honorable gentleman was under a misapprehension altogether. This money had not been spent by Sir Julius Vogel. He had never touched it, and it was still in the Treasury.

Mr. MURRAY said the cost of this mission had amounted nearly to the price of 90,000 acres of land sold by his colleagues—the celebrated Piako estate. The total cost of the mission had been £11,000 for expenses, and £2,500 more than the cost of the Earl of Elgin's mission to China. He disputed what the Premier had said with regard to the advantages of Sir Julius Vogel's trip to England, and of the saving to the colony. He believed the colony had lost considerably in consequence of the mission.

Mr. REYNOLDS denied the statement that Sir Julius Vogel left on his own authority. He had no desire to go Home, but was requested by his colleagues to do so, in order to negotiate the Four Million Loan. There were debentures at Home which were not being negotiated; and if Sir Julius Vogel had not gone Home, he felt cer-

tain that the colony would have been in great difficulties. He had compared the expenses of Sir Julius Vogel with those of a former Colonial Treasurer, who had received a special allowance of £5,349 besides his salary.

Question put, "That the item be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	21
Majority for	...	...	...	...	8

AYES.

Mr. Andrew,	Mr. Rees,
Mr. Brandon,	Mr. Rolleston,
Mr. J. C. Brown,	Mr. Seaton,
Mr. De Lautour,	Mr. Stevens,
Mr. Fisher,	Mr. Swanson,
Mr. Fitzroy,	Mr. Tairaoa,
Mr. Gibbs,	Mr. Takamoana,
Mr. Hamlin,	Mr. Teeschemaker,
Mr. Harper,	Mr. Thomson,
Mr. Hislop,	Mr. Wakefield,
Mr. Johnston,	Mr. Wason,
Mr. Joyce,	Mr. W. Wood.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Murray-Aynaley,	Mr. Murray,
Mr. Nahe,	Mr. Sheehan.

NOES.

Major Atkinson,	Mr. G. McLean,
Mr. Barff,	Mr. Pearce,
Mr. Bowen,	Mr. Richardson,
Mr. Bunny,	Mr. Rowe,
Mr. Button,	Mr. Stafford,
Mr. Carrington,	Mr. Tawiti,
Mr. Hunter,	Mr. Whitaker,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Kennedy,	<i>Tellers.</i>
Mr. Larnach,	Mr. Kelly,
Mr. Lumsden,	Mr. Reynolds.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Burns,	Mr. Tribe,
Mr. Dignan,	Mr. Manders,
Sir G. Grey,	Mr. Curtis,
Mr. Hodgkinson.	Mr. Pyke.

The item was consequently struck out.

Mr. ANDREW moved, That the item "Coleman Phillips, compensation, £150," be struck out.

Amendment negatived.

Mr. SHEEHAN would propose to strike out the item, "James Edward FitzGerald, bonus for drafting Bills, £250." No one could respect that gentleman more than he did, and he admitted he was an admirable draftsman, but he was an officer who should not be called upon to do this work. He was supposed to be above the Government, and to have the control of the expenditure of public money.

Major ATKINSON hoped that the Committee would not agree to strike this item out. It was true that Mr. FitzGerald was a very high officer; but he was an officer of the House, and it was

quite reasonable that the House should vote him such a sum as that proposed, for he had done good work. The assistance he had rendered was of a very important character. He could see no objection whatever to that officer having been so engaged, but there would no doubt be a great objection if the Government were to pay him for the work without a direct vote of the House; and the only terms upon which the Controller would consent to draft these Bills was that if he was to receive any reward it should be by direct vote of the House.

Mr. SHEEHAN observed that Bills had been drafted and sums paid to the Controller before this. He knew that perfectly well, for he heard the predecessor of the Premier admit that a sum of £100 on the estimates was to pay the Controller for drafting Bills. He looked upon the proposal as indelicate, not to say immodest. The Controller was an officer who was supposed to be left alone, and to be apart from and independent of the Government. He knew this officer was not to be bought; but they might have another man who would be bought, and the item looked like buying.

Mr. WHITAKER was quite sure that honorable members would agree that the Bills had been well drafted, and he could say that similar Bills, if drafted in England, would have cost from £1,000 to £1,500. In fact, he knew of one thousand guineas having been paid in England for a Bill shorter than the Municipal Corporations Bill. Therefore the House had received full value for the money proposed to be voted. As to whether or not it was an improper position for the officer to be placed in, he would say that it did not make him in any way dependent upon the Government, for the House had to pass the vote for the work without any reference to the Government whatever. The Controller had drafted the Bills at night, and at odd times, he having done his other work as well. If the House should come to a resolution that he ought not to be employed in the same manner in future, that would be a different matter. But as he had done the work, it would be most unreasonable to say that he should not be paid for it.

Major ATKINSON would state that he had ascertained that £100 was paid to the Controller some years ago, for drafting a Bill.

Mr. SHEEHAN said he knew that, and the Bill was the Public Trust Office Bill. The Municipal Corporations Bill was a simple matter of paste and scissors.

Mr. WHITAKER said there was not a clause in it that was not new.

Mr. SHEEHAN said one great recommendation to the Bill was that it was not a revolutionary alteration of the law, but an adaptation and consolidation of the law. He would undertake to have done it in twenty-four hours.

Mr. WHITAKER said the Controller drafted the Municipal Corporations Bill, the Counties Bill, the Financial Arrangements Bill, and the Public Works Bill. He ventured to say that in England little less than 2,000 guineas would have paid for these Bills.

Major ATKINSON informed the Committee

that when he came into office he withdrew the Counties Bill, and a new Bill was drafted by Mr. FitzGerald. The Public Works Bill was drawn entirely by Mr. FitzGerald, and that alone was worth five or six times the money proposed to be voted. That Bill was the outcome of an enormous amount of work.

Mr. SHEEHAN said the Government ought to have come to the House and asked that this officer might draft Bills, and got permission to pay him for doing so.

Mr. MONTGOMERY pointed out that this was not a question as to the amount of money that was paid; but the Controller, who ought to occupy a position as free from all suspicion as the Judges of the land, had work put into his hands by the Government of the day. He regretted exceedingly that the work should have been put into the Controller's hand. He understood the Government had given him work which was exceedingly well done; but no language honorable members could use would be too strong to mark their sense of the wrong committed by the Government in giving work to that gentleman outside the duties of his office. Since he had done the work, it ought to be paid for; but he ventured to say also that the House should mark their sense of the matter by reducing the rate by something. He would move, That the vote be reduced by £5.

Mr. ROLLESTON did not like to use strong language in regard to the vote, because the work had been well done, and the Government had done the best they could under the circumstances. The principle, however, was very objectionable; and he hoped, after the views to which the House had given expression, the Government would not again employ the Controller in this capacity. He was really the custodian of the Ministry; and if the Government would give an assurance that they would not again employ him to do drawing work, the House should be satisfied. But the work had been done, and it would not be fair now to refuse to pay for it.

Mr. ANDREW believed in the ability of the Controller, and, more than that, he believed him to be incorruptible. But although he might be incorruptible he did not like the appearance of this vote, and for this reason: suppose they had another Ministry and another Controller, and the Ministry wished to enlist the sympathies of the Controller, all they would have to do would be to place a sum upon the estimates for some species of work done and trust to their majority to vote it. He should be sorry to see this item struck out; but he should be sorry in any other year to see it placed on the estimates.

Mr. MURRAY-AYNSLEY would not like to vote for the item this time without saying that he did so solely upon the ground that the work had been done. In all future sessions he should certainly vote against any sum being paid to the Controller for work outside of his own proper duties.

Mr. WASON, before the vote was put, would like to know what the views of the Government were upon the matter. The point raised was a very important one, and one which the Govern-

ment should not allow to go to the vote in silence.

Major ATKINSON said the Government could not misinterpret the views that had been expressed on all sides of the House, and would take care that the Controller was not employed to do any more drafting work. They recognized the danger of employing such an officer in any capacity outside his own proper sphere; but at the same time, all the circumstances considered, they thought they had done no great wrong in availing themselves of his services in the recent pressing emergency.

Mr. FISHER did not think it likely that the Controller would undertake this work again; at any rate, he hoped he would not. He trusted also that they would never hear of his going round inspecting bridges—a job which was out of his line.

Question put, "That the item be struck out," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	24
Majority against...					10

AYES.

Mr. J. C. Brown,	Mr. Swanson,
Mr. De Lantour,	Mr. Takamoana,
Mr. Fisher,	Mr. Thomson,
Mr. Hislop,	Mr. Wakefield.
Mr. Joyce,	
Mr. Murray,	<i>Tellers.</i>
Mr. Nahe,	Mr. Rees,
Mr. Seaton,	Mr. Sheehan.

NOES.

Mr. Andrew,	Mr. G. McLean,
Major Atkinson,	Mr. Montgomery,
Mr. Barff,	Mr. Murray-Aynsley,
Mr. Bowen,	Mr. Rowe,
Mr. Button,	Mr. Stafford,
Mr. Carrington,	Mr. Tawiti,
Mr. Fitzroy,	Mr. Teschemaker,
Mr. Harper,	Mr. Wason,
Mr. Hunter,	Mr. Whitaker.
Mr. Hursthouse,	
Mr. Kelly,	<i>Tellers.</i>
Mr. Kennedy,	Mr. Pearce,
Mr. Lumsden,	Mr. Rolleston.

PAIRS.

For.	Against.
Mr. Dignan,	Mr. Manders,
Sir G. Grey,	Mr. Curtis,
Mr. Hodgkinson.	Mr. Pyke.

The amendment was consequently negatived.

Mr. MONTGOMERY took the opportunity to repeat that he felt very strongly upon this matter; and for the sake of establishing a principle he would move, That the item be reduced by £5. The reduction would mark the sense of the House in the matter.

Question put, "That the item be reduced by the sum of £5;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	21
Majority against	...	...	...	...	4

AYES.

Mr. J. C. Brown,
Mr. De Lautour,
Mr. Fisher,
Mr. Hislop,
Mr. Joyce,
Mr. Murray,
Mr. Nahe,
Mr. Rees,
Mr. Reynolds,

Mr. Rowe,
Mr. Swanson,
Mr. Taisaro,
Mr. Takamoana,
Mr. Thomson,
Mr. Wakefield.
Tellers.
Mr. Montgomery,
Mr. Sheehan.

NOES.

Mr. Andrew,
Major Atkinson,
Mr. Barff,
Mr. Bowen,
Mr. Button,
Mr. Carrington,
Mr. Hunter,
Mr. Hursthouse,
Mr. Kelly,
Mr. Kennedy,
Mr. Lumsden,

Mr. G. McLean,
Mr. Pearce,
Mr. Rolleston,
Mr. Stafford,
Mr. Tawiti,
Mr. Techemaker,
Mr. Whitaker,
Mr. Woolcock.
Teller.
Mr. Harper,
Mr. Murray-Aynaley.

PAIRS.

For.

Mr. Dignan,
Sir G. Grey,
Mr. Hodgkinson.

Against.

Mr. Manders,
Mr. Curtis,
Mr. Pyke.

The amendment was consequently negatived.
Item, as reduced, £18,823 2s., agreed to.
Progress was reported, and leave given to sit again.

The House adjourned at half-past five o'clock a.m.

LEGISLATIVE COUNCIL.

Saturday, 28th October, 1876.

First Readings—Second Reading—Third Reading—Bill Discharged—Te Aute College Estate—Matene to Ore—Picton and Blenheim Railway—New Zealand Consolidated Stock Bill—Wellington Corporate Lands Bill—Sartoris, Downe, and Others' Claims Bill—Douglas Crown Grant Bill—Waste Lands Bill—Maori Interpreter.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

The Sartoris, Downe, and Others Claims Bill, the Douglas Special Settlement Bill, the Auckland Beach Road Grants Bill, the Public Revenues Bill.

SECOND READING.

The Auckland Beach Road Grants Bill.

THIRD READING.

The Patea Harbour Board Bill.

BILL DISCHARGED.

The Otago Educational Reserves Bill.

TE AUTE COLLEGE ESTATE.

* The Hon. Mr. RUSSELL, in moving the motion standing in his name, said his only object in placing it on the Order Paper was to obtain from the Colonial Secretary some assurance that this subject, which was of very great importance would not continue to be overlooked among the multifarious duties of the Government. A Committee investigated the matter last session, making a patient and searching inquiry into the subject; and from the report of the Committee, which was published in the Appendix, it would be seen that for several years past both the Legislature and the Government had greatly neglected their duty in not attending to these educational trusts. The endowments were of very great value, and were scattered over different parts of the country, and he was satisfied that if they were properly utilized they would do a great deal to promote the education of both races. He hoped the Colonial Secretary would be able to give them an assurance that before next session some steps would be taken by the Government to carry out the resolution passed by the Council last year.

Motion made, and question proposed, "That this Council regrets that no steps have been taken by the Government to carry out the resolutions passed last session in regard to the Te Aute College Estate and other educational trusts; and the Council desires to impress on the Government the great importance of the subject, and its anxiety to see the resolutions carried into effect, as far as possible, without further delay."—(Hon. Mr. Russell.)

The Hon. Mr. STOKES hoped the motion would be withdrawn after the assurances and explanations given by the Colonial Secretary yesterday in reply to the question of the honorable gentleman. He thought the Council would be fully satisfied with those, and would require no further resolution. This resolution was in effect a sort of reflection upon the Colonial Secretary, as if his assurances were doubted. If the resolution was based on those grounds, he would oppose it.

The Hon. Captain FRASER said he would vote for the resolution. He thought it was high time something was done with respect to this matter. At that late period of the session, he was afraid to express all he thought on the matter; but he thought the manner in which this educational reserve had been managed was a disgrace to the colony.

* The Hon. Dr. POLLEN had no objection whatever to the Council expressing its opinion in the manner desired by the honorable gentleman, if it so willed; but he thought all the objects of the honorable gentleman would be gained by moving that a copy of the resolution formerly passed on this subject should be transmitted to the Government. That would give some tangible ground upon which to proceed, as otherwise the matter would be left to his memory of what had been on the Order Paper. He quite agreed with the propriety of giving attention to the subject, and, as far as he was concerned, he would undertake that that should be done.

The Hon. Colonel WHITMORE hoped the honorable gentleman would alter his motion in the way suggested by the Colonial Secretary. He thought the Colonial Secretary's assurance ought to be sufficient for them. The Council had already expressed its opinion, and it was unnecessary to go into the subject again. The Council wished that attention should be paid to its resolutions, and that, as far as possible, they should be carried into effect. That, they were assured, the Colonial Secretary intended to do. He would move the following amendment:—That the attention of the Government be called to the resolution of the Council, passed last year, with reference to the *Te Aute* College Trust and other educational trusts.

The Hon. Mr. MANTELL hoped the course suggested by the Hon. Colonel Whitmore would not be adopted. He listened with some pain to the sort of indifferent tone in which the honorable gentleman representing the Government told them, in connection with this subject, that resolutions of the Council not transmitted to the Government could not be expected to attract the attention of that body. He had very different views of the duty of the Government. He thought it was established that they held it to be the duty of the Government to have a representative in that Council; and for what purpose? Was it to take no cognizance of what took place? If so, they would have to get some other representative than the present Colonial Secretary. They had no reason to blame him on that account. He did not think it should be necessary to transmit copies of these resolutions to the Government. He did not see anything offensive in this resolution, nor did he see any defect in it unless the Colonial Secretary regarded it as a defect that there was no clause in it directing that copies should be transmitted to the Government. If the addition of such a clause could give the slightest pleasure to the honorable gentleman, or in the slightest degree protract his representation of the Government in that Chamber, he would willingly have such a clause inserted in every resolution. But he did not think they should accept it as a necessity that the Government was to take no notice of the resolutions of the Council unless they were formally transmitted to them. He should be sorry to vote for the resolution if by doing so he would cast the slightest reflection upon the management of the College Trust generally, or the educational or ecclesiastical trusts throughout the country. They were generally in the hands of men for whom he had the highest veneration; and if they failed occasionally, he hoped their failings leaned to virtue's side.

*The Hon. Dr. POLLEN hoped the Council would understand that he did not desire it to be inferred that it was necessary that a resolution of this kind should be transmitted to the Government in order to insure attention. What he conveyed was, that it would be convenient to adopt that course, because these things were of a departmental character; and although he might himself not be wanting in attention to the desires of the Council, still the same certainty of atten-

tion might not be secured as if the document were reported and referred in due course.

The Hon. Mr. MANTELL said the honorable gentleman was perfectly correct as far as he could hear him; and he begged to apologize for not hearing that part of the explanation.

The Hon. Mr. RUSSELL would accept the amendment of the Hon. Colonel Whitmore. He would only say that, in proposing this motion, he had not the slightest intention or desire to cast any censure on the Colonial Secretary.

Amendment agreed to.

MATENE TE ORE.

On the motion of the Hon. Captain BAILLIE, it was ordered, That the report of the Public Petitions Committee on the petition of *Matene te Ore* be agreed to; and that a copy of this resolution and of the report, and of the reasons referred to therein, be forwarded to the Government.

PICTON AND BLENHEIM RAILWAY.

The Hon. Captain BAILLIE moved, without notice, That there be laid on the table a return of the receipts on the *Picton and Blenheim* Railway on Sundays, since the opening of the line, and of the working expenses of the line on those days. His attention had been called to a statement in an evening paper that the sum of ninepence was received on a recent Sunday. As the railway passed close to his house, he had an opportunity of seeing how many travelled by the trains, and on Sundays there was not an average of three or four people in them. The Sunday trains had been opened in consequence of a large petition having been got up in a manner which no doubt many honorable members were acquainted. He supposed that if the return could not be laid on the table before the session closed, it would be made public in some way.

*The Hon. Dr. POLLEN had no objection to furnish the desired return. The usual cause of complaint against the Government was that they did not do enough on those lines of railway; and it was something very new to be found fault with for overstepping the limits of financial prudence in their desire to meet what were understood to be the wishes of the community. He hoped that when the return was presented, the figures would be found to show a very much larger total than this "ninepence," which, like some of the jokes passed on the *Bluff* and *Invercargill* Railway, would probably become historical.

The Hon. Captain BAILLIE might mention to his honorable friend the Colonial Secretary that the trains ran in opposition to the wishes of the Superintendent of the province and many other influential persons. If the return could not be furnished before the session closed, he thought the Government might order it to be printed, and sent to honorable members at their private residences.

Motion agreed to.

The Hon. Mr. WATERHOUSE thought that the suggestion of the Hon. Captain Baillie as to sending printed copies of returns ordered to be brought up to honorable members after the close of the session was a very good one. When

returns which had been ordered to be prepared were laid on the table after the session was closed, they were practically useless. He moved that all returns which had been ordered, but which had not been presented up to the present time, be printed, and forwarded to honorable members at their residences.

. Motion agreed to.

NEW ZEALAND CONSOLIDATED STOCK BILL.

* The Hon. Dr. POLLEN said the papers relative to the inscription of New Zealand stock had been so long printed and in the hands of honorable gentlemen that he had no doubt they had made themselves familiar with the question. He thought honorable gentlemen would have recognized the importance of the subject, and the great advantage, financially, which the colony would derive from the carrying out of this project. He had no doubt that honorable gentlemen would see that Sir Julius Vogel had taken a great deal of trouble in this matter, and that it was owing to his activity and exertions that the scheme had been brought to the advanced condition in which it was now presented. Honorable gentlemen had no doubt also observed that there was still a part of the scheme in a state of incompleteness—that part of it which depended upon the Imperial legislation, and which made the passing of an Act necessary in order that the Bank of England might be in a position to carry out the proposed arrangements for the inscription of our stocks and the dealing with our loans. A Bill had been brought into the Imperial Parliament in its late session, but it had not yet become law. It would be again introduced early in the next session. Of course, without such an Act, the scheme could not be carried out; and on that account, and taking into consideration the late period of the session at which the Government had been able to bring this measure before the Council, it had been thought more convenient to withdraw the Bill for the present. He had therefore to move, That the Bill be discharged. He had no doubt that by next session the arrangements with the Bank of England, which he had referred to, would be completed, and at an early period of the next session the Government would bring the Bill before the General Assembly again.

Bill discharged.

On the motion that the Bill be withdrawn,

* The Hon. J. JOHNSTON had no desire to undervalue the services which Sir Julius Vogel had rendered to the colony while he was in England, in the direction of the inscription of stock. He had hoped that the Hon. the Colonial Secretary would have been able to show the Council why the inscription of its debt would be of value to New Zealand. During the last few days, he had endeavoured to ascertain to what extent inscription obtained in Europe and other parts of the world. He found that the great bulk of the national debt of England—the Consols—was in inscribed stock, and passed by transfer; that of France as represented by its Rentes, and that of Austria as represented by its Metalliques, were so also. He also found that a late loan of Canada,

for a small amount, was in inscribed stock; but the debts of the other great European nations, and of North and South America, were in bonds. The value of inscription to New Zealand was exceedingly doubtful. Trustees in England could not invest in colonial securities until a law passed authorizing their doing so; and trustees in New Zealand found they could obtain better interest by lending on real security than from investment in bonds.

The Hon. Mr. WATERHOUSE could not but congratulate his honorable friend the Colonial Secretary on the amount of discretion he had shown in withdrawing the Bill. It was a Bill of even a more important character than that gentleman seemed to imagine. The inscription of the loans was comparatively a minor matter: the principal object of the Bill was to enable the Government to consolidate the whole of the loans. He did not consider it right that such a proposal should have been brought before the Council at the conclusion of the session. That was a very unusual circumstance, and he was glad to observe that the Hon. the Colonial Secretary had recognized the propriety of withdrawing the measure. With regard to what had fallen from the Hon. Mr. Johnston, he could only say that he cordially indorsed every word the honorable gentleman had uttered.

The Hon. Colonel WHITMORE had only to congratulate the country upon the circumstance that this Bill was to be withdrawn. It would have been a most unhappy time to consolidate their loans. The consolidation of the loans of a country of this description should be done when that country was at its highest period of prosperity, when its credit stood at its highest, and its prospects were the brightest. He left it to honorable gentlemen to say if that was the position of this colony at the present moment, and whether it would not be more proper to try this measure, if ever they did try it, at a future and perhaps more propitious time.

* The Hon. Mr. BONAR would merely say, in common with other honorable gentlemen who had spoken, that he was very glad indeed the Colonial Secretary had adopted the course he had pursued with reference to this Bill. Without expressing an opinion upon what had fallen from other honorable gentlemen, he recognized in this a very large and important question. As far as he had been able to study the subject, it seemed to him that, under certain circumstances, it would be advantageous to have the loans of the colony all in one form, and also to have them inscribed. However, it would be quite impossible for them to do justice to that very large and important financial subject at that late period of the session. It was a matter as to which there should be a full inquiry by a Select Committee before any conclusion was arrived at in the Council. Therefore he had to express the satisfaction he felt at the Bill being withdrawn.

* The Hon. Dr. POLLEN was sure that the Council would excuse him if he declined to discuss the principle of the Bill upon a motion of leave to withdraw it, or to deal with the question which had been raised by his honorable friend

the importance of which he recognized. He would be in a position to give the honorable gentleman a sufficient answer at a future time. Being desirous to spare the time of the Council as much as possible, he would content himself with moving that the Bill be withdrawn.

Bill withdrawn.

WELLINGTON CORPORATE LANDS BILL.

The Hon. Mr. J. JOHNSTON, in moving the second reading of this Bill, said that some time ago the Natives of Te Aro sold to the Provincial Government some land comprised in what was known as the old Te Aro Pa. After the purchase, the Provincial Government, in order to utilize the land, and to do what a great number of proprietors now did, cut up the land into small sections, and sold it by public auction. The Corporation bought four allotments, for the purpose of being enabled to make a street from Te Aro to the foreshore when the foreshore was reclaimed. It appeared that the four allotments they had purchased comprised more land than they required for the purpose of the road, and they sought permission in this Bill to sell the land not required. That land was shown in the second schedule. The first schedule applied to a reserve in the city of Wellington known as the Market Reserve, which the Corporation by this Bill sought to have power to lease for forty-two years. He begged to move the second reading of the Bill.

The Hon. Mr. WATERHOUSE said, as regarded the first block of land referred to by his honorable friend, that he did not think there could be any doubt as to the propriety of passing that portion of the Bill affecting it. But there was another portion of land referred to in the Bill with regard to which they would require more information before they passed this measure. The effect of the Bill would be to vest in the Corporation a block of land the ownership of which, as far as he could ascertain, was at the present time uncertain. It was a piece of land opposite the Te Aro Pa, which was not at present owned by the Corporation. It was presumed to belong to the Government, and very probably it did, and he thought it very right that it should belong to the Corporation; but before they could vest it in that body there ought to be some preliminary inquiry to see that they were doing no injustice to any one. The right of the Corporation to have this land vested in it should be ascertained by referring this Bill to a Committee. At that late period of the session they scarcely had time to examine the Bill as it ought to be examined, and he would therefore propose that this portion should be withdrawn and left over to another session, in order that inquiries might be instituted and evidence taken, with a view to proving the right of the Corporation to the property, and establishing that the Council would inflict no harm upon anybody by vesting the land in that body. As regarded the other, and, at the present time, the more important part of the Bill, there could be no objection.

The Hon. Dr. GRACE thought he understood the honorable mover to say it was proposed,

amongst other things, to give power to the Corporation to lease the Market Reserve for forty-two years. He would object to give this power to the Corporation. It was a great pity to cover every piece of ground in this small city with buildings. At this rate, the eagerness to get hold of a little money would result in making the town perfectly uninhabitable. He did not know whether the Hon. Mr. Waterhouse, in speaking with reference to a piece of land near the Te Aro Pa, alluded to this special reserve or not. He had no objection to that part of the Bill which empowered the Corporation to dispose of a certain portion of the land they purchased for the purpose of making a street. That the revenue which was not necessary for that purpose should be utilized he could approve of; but he altogether disapproved of giving these bodies authority to lease these reserves—as he thought, to the detriment of the interests of the town. There was no policy so short-sighted as to disregard the future for the sake of a small income for the time.

The Hon. Captain FRASER intended to support the proposal of the Hon. Mr. Waterhouse. It was quite evident that the Corporation had no title to the land referred to, and how could it give leases for a long period of time? It would be better to leave out the First Schedule altogether.

The Hon. Mr. MANTELL said that, if he understood the position of this ground, it was a triangular piece of land opposite Mr. Kebbell's house. If that were the case, it was one of the very few original public reserves laid out in this city, and he thought it should naturally form part of the Corporation property; but as to giving that body power to sell it, that was a very different question, on which his mind was not quite clear.

The Hon. Mr. J. JOHNSTON could not dispute what had fallen from the Hon. Mr. Waterhouse, in which he believed there was a great deal of truth; but if honorable members would allow the Bill to be read a second time, the part referred to could be excised in Committee.

Bill read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time.

SARTORIS, DOWNE, AND OTHERS' CLAIMS BILL.

*The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it had come so recently into his hands, that the Council, he was sure, would excuse him if the account he gave of it was not so full and accurate as he could desire, as he was obliged to depend upon his memory for the circumstances. The claims arose out of the fact that in 1872 there was passed the Taranaki New Zealand Company's Land Claims Act, which recognized the existence of claims which, if he were allowed to express his personal opinion, ought not to have been recognized by the colony, and made provision for settling them. Under that Act, a Commissioner was appointed to inquire and report upon the claims. The provisions of the Act, if he remembered aright, were such that the report of the Commissioner should be considered as really defining the rights of the

claimants, and as pledging the colony to make them good. The Commissioner being appointed, held an inquiry at Taranaki, and, rightly or wrongly—wrongly, in his personal opinion—he made an award, which was proposed to be carried out by this Bill. The Act required that, upon the award being received, land scrip for the amount awarded should be issued to the persons entitled to receive it. The scrip was accordingly issued; but when it was presented at the Waste Lands Office it was found that there was no land conveniently available in the Province of Taranaki out of which the award could be satisfied. The difficulty in the satisfaction of the claims arose mainly out of a provision inserted with a specific purpose in one of the Immigration and Public Works Acts, that any land purchased by means of loans authorized to be raised under that Act should not be used under any circumstances for the satisfaction of land claims which had any existence antecedent to that time. Outside of this land, which was purchased by moneys raised under the Immigration and Public Works Act, there was not, he was advised, very much land remaining—perhaps not enough to satisfy those claims, although he recollected there was land found to encourage speculation for the purpose of smelting iron-sand. However, that was not the question. The question now was simply the carrying out of an engagement to which, as it was truly said, the honor of the colony was pledged. This Bill provided that it should be lawful for the claimants to select their land, within two years, out of the two blocks mentioned in the schedule. The claim was held to have rather a colonial than a local character. It was held by the representatives from Taranaki, at least, that it was a claim which originated out of the New Zealand Company's affairs, and had more of a colonial than a local character, and that it should be satisfied by the Crown generally, and not be taken out of the Land Fund of any particular district. As it was proposed to be satisfied out of lands in the Provincial District of Taranaki, there was a kind of *quid pro quo* proposed in the 4th clause, which was an appropriation clause, that out of the Public Works Account the Treasury might issue and apply the sum of £6,000 towards the improvement and construction of the road now laid out between the townships of Inglewood and Hawera. That might be said to be a colonial contribution to the Provincial District of Taranaki, in acknowledgment of the large quantity of land that was taken away from it in satisfaction of this award. He moved that the Bill be read a second time.

The Hon. Captain FRASER was very much surprised at the last clause of this Bill; but since reading it he had had an explanation from Mr. Stafford, who had perfectly satisfied him that this was a tardy act of justice, and that no money could be better expended than in making this road, and in opening up the land behind Mount Egmont. He had great pleasure in supporting the Bill.

The Hon. Mr. WATERHOUSE said that, when this Bill was first placed in his hands, he thought there must be some mistake about it.

He read the Bill; and after having satisfied himself as to the first three clauses, he was pulled up by the 4th clause, which had no connection with the matter at all. He thought at first it was some clause which had dropped out of some other Bill. It was with astonishment, however, that he found such was not the case; but he had lately received some information on this subject. After having read the Bill, he had the pleasure of meeting the Superintendent of Taranaki in the lobbies, who assured him, on his honor as a man, that it was all right; but although it might be all right, he scarcely thought that such a provision as this ought to be introduced in a Bill having this title. It was the introduction into a Bill having one object, of matters entirely unconnected with it. He had no hesitation whatever in saying that under the Governor's Instructions he had no power to assent to this Bill. If the Governor's attention was drawn to the fact that this Bill contained matters outside the title, he would not be justified for one moment in assenting to it. He would call the attention of honorable members to the fact that the 4th clause proposed to apply to the purpose of a road—he had no doubt whatever it was desirable—a sum of £6,000 to be paid out of the Public Works Account. What was the Public Works Account? It was an account to which the proceeds of our loans went. Our public works were constructed out of the Public Works Account, and were paid off entirely by way of Public Works Loans. Now, was this one of the objects contemplated when they sanctioned the Public Works Loan? Would it not be an abuse of their borrowing system were they to sanction the appropriation of the money proposed in this Bill? He would not oppose the second reading of this Bill, but would most decidedly object in Committee to the 4th clause. Indeed, he thought they ought to go further, and, before assenting to the Bill, should receive a distinct intimation from the Colonial Secretary that he would consent to withdraw the 4th clause; otherwise they would be justified in throwing the Bill out altogether—and, indeed, he thought that would be their bounden duty. If his honorable friend would consent to erase the 4th clause when in Committee, he would be prepared to vote for the second reading of the Bill; but if the honorable gentleman would not consent to that, he would feel it his duty to oppose the second reading.

The Hon. the SPEAKER said he had only just received the Bill, and at first sight it appeared to have an appropriation clause tacked on to it. Under those circumstances, he thought there was no alternative for the Council but either to reject the Bill altogether or accept it.

The Hon. Mr. STOKES said that this was an illustration of the subject they were discussing on the previous day as to the extreme inconvenience and impropriety of putting into a Bill referring to any particular subject something else entirely different. In this Bill there was a matter in no way connected with the claim of the parties put in at the end, where it would be least expected. It placed the Bill in a most unfortunate situation, for he believed these claims—

their representatives were original purchasers under the New Zealand Company, and had been waiting now for nearly forty years to receive the value of the money they then invested. Their claims were now admitted, and justice was proposed at last to be done to them. But that justice was to be stopped by this mischievous clause at the end of the Bill. He thought it exceedingly objectionable that the clause should have been so introduced, and would certainly vote against it. He would be extremely sorry, however, if the effect of the introduction of the 4th clause were to prevent justice being done in this case by the throwing out of the Bill.

The Hon. Colonel BRETT hoped the Council would recognize the justice of this claim. It was evident the Colonial Government had taken possession of this property, which was originally made over to the New Zealand Company, and that they gave as compensation a block of land of seventy-five acres, which they had subsequently granted to the Natives. The claimants now desired this road to be constructed. It would cost about £6,000, and the whole of Taranaki would benefit by it. This, he thought, was a very fair compensation; and he hoped the Council would take the matter into its favourable consideration.

The Hon. Mr. MANTELL said the Bill was mysterious enough without the explanation of the honorable gentleman who had just sat down, which, probably owing to the want of information in the Bill, had as much to do with the claims of Sartoris, Downe, and others as the 4th clause had to do with the Bill. The Hon. the Speaker had spoken of the last clause as an appropriation clause. There was no doubt on that point; but although it might be very much in place as a clause in a Public Works Bill, it was out of place in this measure. There was no reference to it in the preamble; and nobody would expect to find such a provision in the Bill. It was very true that the Hon. Mr. Waterhouse had distinctly assured them, on the highest authority, that it was perfectly right; but they had had assurances from the same high authority given to every member of the Council personally, when another Bill was introduced, by which the agent of Messrs. Sartoris and Downe, who had received one section of their property in compensation for his services in selecting the rest, left his principals out in the cold—he wished to be understood as saying principals, not principles—and got his little Bill passed through, and received his compensation on a very liberal scale indeed, far more liberal than it was now proposed to give to his principals. The Hon. the Colonial Secretary had hardly done full justice to the claimants. As far as he (Mr. Mantell) was informed—and he had not the least reason to doubt his information, although it had not come from the same very authentic source from which the Hon. Mr. Waterhouse derived his information regarding Taranaki subjects—the scrip which, under the provisions of the Act, was to be exercised within two years after the passing of the Act, was not issued until within five or six weeks of the expiration of those two years. On presenting the scrip, there were no lands available. Further than that, he

believed it to have been the case that, from the time of the passing of that Act up to the time of the presentation of the scrip, there never were any lands available for that purpose; and the promoters of the Bill—he did not say the Government, but certainly gentlemen well informed on Taranaki subjects—must be perfectly well aware that when the Bill was proposed, giving the right of selection over certain lands at Taranaki for a period of two years, there were no such lands available for the purpose. A great wrong had been inflicted on Sartoris, Downe, and others; but the greatest wrong of all would be, he thought, fixing this tack of the 4th clause on to this Bill. Of course, he bowed with deference to the Hon. the Speaker; but he could not think that a tack of this kind could make the whole Bill an Appropriation Act, especially as it was not implied by the title, or the preamble, that any such tack occurred in the Bill. There was no doubt that the influence, which must be very great indeed, that could induce the Government to introduce an inharmonious clause of that kind into this Bill—a Bill to enable the colony in one instance to fulfil its obligations more or less honorably—that that influence would be quite sufficient to get the clause introduced elsewhere, where it could be done more properly; in which case there would be no objection on the part of the Council. He agreed with the Hon. Mr. Waterhouse as to the course that the Colonial Secretary should assure them he would pursue. In order to avoid any inconvenience that might arise, it would be better to excise this clause, rather than to throw out the Bill, which was absolutely necessary to perform the merest justice to people who had been very much wronged. If the Bill on its third reading came up in its present shape, he would certainly vote in favour of its being read a third time six months hence.

* The Hon. Dr. POLLEN desired to say that in moving the second reading of the Bill he carefully abstained from going behind the original legislation of 1872 upon this subject. With reference to what had been held to be an appropriation clause, he explained to the Council the grounds upon which that grant was proposed: the grounds being that the people of the Province of Taranaki held that the claim of Sartoris, Downe, and others was not of a local but of a colonial character, and that the necessity of satisfying that claim should not be imposed without some consideration or *quid pro quo* on the Land Fund of that province. It was suggested that he should withdraw the appropriation clause, but he had no desire whatever to do that. It would be competent for the Council in Committee to deal with that or any other clause in the Bill.

Bill read a second time.

DOUGLAS CROWN GRANT BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said there was an Act upon the Statute Book, known as the Wellington Special Settlements Act, which gave the Superintendent of that province the power of setting apart blocks of land for purposes of settlement, at a price which

should not be less than that of ordinary land of the same quality, subject to certain conditions of occupation which were to be prescribed. Two years ago, or perhaps a little more, an agreement was entered into by the promoters of a special settlement for the purchase of a large block of land in the Oroua district. The terms and conditions upon which that land should be sold were ratified by the Governor in Council, and were published in the *New Zealand Gazette*. They were principally the payment of a fixed price, which had to be repaid on the introduction, within a certain time, of seventy families, and settling them upon a block of land which was to be selected within the limits of the purchased block. The company who had purchased that land were, he believed, perfectly willing to carry out the obligations which they had undertaken; but it happened in that, as in other cases, that there were unsatisfied Native claims to the land within their boundaries. The obstruction caused by these claims prevented the company from effecting the improvements, by drainage and otherwise, which would enable them to carry out the terms of their engagement with respect to the allocation of settlers upon the land. After the purchase was completed, the selection of the land—upwards of 7,000 acres—was made by the Commissioner of Crown Lands in the Province of Wellington. The disability under which the purchasers of the land laboured, by reason of the Native obstruction to which he had referred, prevented their carrying out their obligations with respect to settlement within the specified time; and if the terms of their engagements were to be enforced against them, the consequences would be such as under the circumstances he thought the Legislature would not contemplate, in view of the improvements they had made. Representations had been made to the Government, and a compromise which appeared to be fair and reasonable on both sides had been arrived at. That arrangement was proposed to be ratified by this Bill. It proposed to enable the Governor to grant the company who were the original purchasers the fee-simple of the land enclosed within their boundaries, exempting out of it that portion set apart for the location of settlers. It provided within a certain convenient time for the location of those settlers on the land on terms similar to those originally entered upon. He understood the company had made a very large expenditure indeed upon the block. Last year he was in that district himself; and he had reason to know that a great deal of work had been done, that a great deal of employment had been furnished to labourers, and that many improvements had been effected on the land. He would move that the Bill be now read a second time.

The Hon. Mr. WATERHOUSE only rose for the purpose of expressing his satisfaction at seeing this Bill brought forward. He thought that the delays that had occurred in the settlement of the disputes in this matter were by no means creditable to the Government, and he thought the whole affair was calculated to create an impression that persons entering into exceptional arrangements with the Government could

not with sufficient safety rely on the promises made, unless a distinct and binding arrangement was come to in the first instance. He was afraid this was not the only case in which there had been too much reliance placed upon the promises of the Provincial Government. Only the other day, he became acquainted with the case of an unfortunate man who had been almost ruined through having trusted too much to the promises of the Government in these matters. He hoped that in future no such engagements would be entered into by the Government, unless they were in a position to carry out in its integrity the arrangement entered into. If the parties interested in this Oroua Block had been men of different standing, these delays would undoubtedly have ruined them; but it was fortunate for themselves and for the country that they had been able without serious inconvenience to stand the delay that had arisen.

The Hon. Captain FRASER said that this matter ought to be a caution to any gentleman not to enter into any land purchases with the Government. He remembered that not very long ago an influential American gentleman told him to be very cautious about taking shares in any American enterprise unless a majority of the shareholders were influential politicians. That was the great mistake that Mr. Douglas made. He had very influential partners at the commencement, but he made the great mistake of buying them all out. If these partners had not been bought out, this Bill would not be before them. The matter could have been settled, and many thousands saved to his friend Mr. Douglas. If Mr. Douglas had not shown such great forbearance, there must have been a collision with the Natives, and they would have had a little war before now at Waunganui.

Bill read a second time.

WASTE LANDS BILL.

This Bill was considered in Committee.

Clause 4.—Interpretation.

The Hon. Mr. WATERHOUSE moved, That the words, “Selector” means a person making application for or having a license to occupy suburban or rural land under the deferred-payment system prescribed by this Act,” be struck out.

Question put, “That the words proposed to be omitted stand part of the question;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	18
Majority against ...					18

AYES.

Mr. Bonar,	Dr. Pollen,
Lieut.-Colonel Kenny,	Sir J. L. C. Richardson.
Mr. Lahmann,	

NOES.

Captain Baillie,	Mr. Nuree,
Mr. Campbell,	Mr. Paterson,
Captain Fraser,	Mr. Peter,

Mr. Gray,
Mr. Hall,
Mr. Hart,
Mr. G. B. Johnson,
Mr. J. Johnston,
Mr. Mantell,

Mr. Pharasyn,
Mr. Rhodes,
Mr. Robinson,
Mr. Russell,
Mr. Waterhouse,
Colonel Whitmore.

The amendment was consequently agreed to.

MAORI INTERPRETER.

The Hon. Mr. NGATATA wished, with the permission of the Council, to say a few words with reference to a complaint made on the previous day by the Hon. Mr. Mantell regarding the accuracy of the translations of Native members' speeches. The Interpreter did not catch what fell from the Hon. Mr. Mantell in time to interpret it to him (Mr. Ngatata), in consequence of being afflicted with partial deafness caused through cold in the head. If the Interpreter had caught the honorable gentleman's remarks soon enough to interpret them to him (Mr. Ngatata), he would then have been able to reply. The proofs of his speech had been sent to him by the printer for correction, and he had no fault to find with the translated version of his speech. He spoke now in order that all the members of the Council might know that he had no fault to find with the Interpreter. He had never seen any translation of his speech in the *Waka Maori* which had been incorrect. He wished all the members to understand that the Interpreter was invariably correct in his translations. If he had wrongly translated, he (Mr. Ngatata) would have pointed it out to the Council. He had merely said this in order to show what his opinion was with regard to what had been said by the Hon. Mr. Mantell.

The Hon. Mr. MANTELL subsequently said he understood that, during his absence that evening, the Hon. Mr. Ngatata made a statement with regard to the accuracy of the interpretation to the Council of Maori speeches, which was diametrically opposed to the opinion he (Mr. Mantell) expressed on the subject on a previous day. He was sorry that the Hon. Mr. Ngatata should, either from his own impulse or from any persuasion from without, have made a statement of that kind. His impression of what the honorable member had said was sufficiently accurate, because he had taken care to inquire, from persons who understood the Maori language, what had been said by the honorable gentleman. He understood that the honorable gentleman said he had had no reason to complain of the accuracy of the interpretation of his speeches in the Council. Then he could only say that the honorable gentleman had not behaved fairly; because he had complained on more than one occasion of the inaccuracy of the interpretation of his speeches. As to the inaccuracy of the reports in *Hassard*, he could only say that the words were taken by the shorthand writer as they were uttered by the Interpreter. As far as he was concerned, he had only to say that when he heard a speech of a Maori member, and the interpretation of it by the Interpreter, he always detected a great difference between them. He could appeal to other honorable members who understood both Maori and English to corroborate what he said. He had

only further to remark that, unless some better provision was made for the accurate interpretation of the speeches of Maori members of the Council, and for conveying to them in their own language everything that was said, it would be better in future not to have an interpreter in the Council at all. It had been notorious, from the first introduction of this institution, that the gentleman who, he believed, was appointed to the office of Interpreter partly on his own recommendation, had not discharged the duties in a satisfactory manner; and he was sorry to say that he had not noticed the slightest improvement on his part. He would not have referred to the matter on the previous day had not the subject under discussion called for remark. The Council had a right to expect that, when the question of the accuracy or inaccuracy of the speeches of Maori members was before the Council, he should throw all other considerations aside, and state distinctly what his opinion was on the matter. His opinion was, that the interpretations were not, and never had been, satisfactory.

The Hon. Captain FRASER said the Council would perhaps allow him to make a few remarks on the subject. As a member of the Public Petitions Committee, it had been apparent to him for many months past that the Interpreter was not a fit and proper person to translate the speeches of the Maori members. He did not know whether that officer understood Maori, but he was convinced that he did not understand English. The meagre and bald language in which the Maori speeches and evidence were translated had made it evident to him for a long time that that officer was not competent to be Interpreter to the Council.

The Council adjourned at midnight.

HOUSE OF REPRESENTATIVES.

Saturday, 28th October, 1876.

First Readings—Second Readings—Third Readings—G. Beadon—Milton to Lawrence Railway—Civil Servants' Allowances—Ministerial Changes—Dr. Hector's Services—Native Reserves Bill—Native Grasses—School Buildings—J. Goodfellow—Correspondence with the Secretary of State—Supply—Jones and McMillan—Thames Pumping Association—J. London—Native Schools Bill—Appropriation Bill.

Mr. SPEAKER took the chair at eleven o'clock.

PRAYERS.

FIRST READINGS.

The Public Revenues Bill, the Immigration and Public Works Appropriation Bill.

SECOND READINGS.

The Public Revenues Bill, the Immigration and Public Works Appropriation Bill.

THIRD READINGS.

The Public Revenues Bill, the Immigration and Public Works Appropriation Bill.

G. BEADON.

Mr. TOLE asked the Government, if they have any objection to appoint a Commission during

the recess to inquire into the Piako land claim of George Beadon? He might state that the late Attorney-General, the present Chief Justice, said that Mr. Beadon had some claim. Sir Donald McLean admitted a grievance, and he believed that the Premier himself sympathized with this claim at the time it was brought forward. The petitioner alleges, that when the matter was considered last year, he was not allowed to be present at the Commission, or to be represented by Counsel. It would be only right that the Government should appoint a special Commission to inquire into the case. He had intended, in the early part of the session, to move for a special Commission; but believing that there was hardly time during this session for a special Commission, which was the only efficient way of investigating the peculiar circumstances of so intricate a case, to make full inquiries in the matter, he considered it better to leave it over till the recess. He would be very glad to have an answer to the question, and hoped that the Government would have no objection to appoint a Commission, with the decision of which he had no doubt the petitioner would be disposed to be satisfied.

Major ATKINSON said the Government would not be prepared to appoint a Commission, as they were satisfied that the petitioner had not the shadow of a chance of obtaining anything; and they thought it would only be deluding him into false hopes if they appointed a Commission.

MILTON TO LAWRENCE RAILWAY.

Mr. MURRAY asked the Minister for Public Works, When the Tokomairiro to Lawrence Railway will be open for traffic? In 1873, that Minister stated that the line would be opened almost immediately after the opening of the Clutha Railway. In the following year, he said it would probably be opened in June following, and certainly by the month of September. That was two years ago, and the line had not yet been opened. He wished the honorable member to state what had been the cause of the great delay which had taken place in the opening of the line; and he would also like to know when the Government expected the line to be opened.

Mr. RICHARDSON could not give the honorable gentleman a definite answer on the subject. There had been a good deal of difficulty with regard to this line, but it would be opened as soon as possible.

CIVIL SERVANTS' ALLOWANCES.

Mr. J. O. BROWN asked the Premier, If he will, during the recess, cause a return to be made and laid before this House, at the commencement of next session, of all bonuses, premiums, gifts, allowances, or payment for extra work, in excess of their authorized salaries and travelling allowances, paid to or received by any person in the regular employment of the Government, or in receipt of salary fixed by Act, during the current financial year and the two preceding years; the return to state the name of the officer, the grounds on which the extra payment was granted, and the authorized rate of payment

to such officer at the time? The return would be useful, and afford a deal of information; and he hoped there would be no objection to its being granted.

Major ATKINSON said the Government had no objection to have the return prepared.

MINISTERIAL CHANGES.

Mr. MURRAY asked the Premier, If any changes are contemplated in the constitution of the Ministry during the recess, will he have any objection to state the nature of such contemplated changes? He said this was a subject in which all honorable members were interested, and he trusted the honorable gentleman would not think him too inquisitive in asking for some information. He wished to know who were to be appointed colleagues of the honorable gentleman during the recess. He understood it was intended to make some change in the Ministry, and that some of the honorable gentleman's present colleagues were going to retire. He thought it desirable that some information on this subject should be given.

Major ATKINSON said that, during the recess, it was probable the Native Minister and the Minister for Public Works would retire. Mr. Ormond would take one of those portfolios; but who the other gentleman would be had not yet been decided.

DR. HECTOR'S SERVICES.

Mr. SWANSON asked the Premier, If he will lay before this House a return showing the amounts, if any, paid during the last twelve months to Dr. Hector for special services; specifying such services separately, the sum paid for each service, and the items in the Appropriation Act from which such sums were paid?

Major ATKINSON said he would be very happy to lay the return on the table.

NATIVE RESERVES BILL.

Mr. WHITAKER, in moving the second reading of this Bill, said it came from the Legislative Council. It dealt with certain Native Reserves in Westland, where certain leases had been made with the promise that there should be a renewal of them when they expired; but without the Bill there was no power to make that renewal. The Bill had been promoted by the Native Minister; and the Native people interested, he believed, in that part of the country did not object. He moved the second reading of the Bill.

Mr. TALABOA had something to say about this Bill. He objected to the Bill because it had only just now been introduced to the House. It was an important Bill, because it affected Native lands. Petitions had been sent in by the Natives at Greymouth against such a Bill, and great complaints had been made as to the way in which the reserves were managed by the Commissioner. He hoped the House would not agree to the Bill, as it had been brought in in a very hurried manner. He thought the better plan would be for the Government to allow the Bill to stand over till next session. In the meantime it should be printed in the Maori language, and circulated for the in-

formation of the Natives. This Bill specially affected the Natives and their lands. It was not confined to the Native reserves alone, but it affected other lands also. The Maoris did not agree that they should suffer in regard to their lands, and did not wish such a Bill would be passed now. He did not agree to the repeal of the section in the other Native Reserves Act which provided for the appointment of a Commission of Maoris to manage Native reserves. He thought that, as the Native reserves belonged to the Maoris, it was only right that there should be Maoris whose special duty it would be to watch the proceedings of the Europeans in respect of such lands. Provision was made in this Bill for the granting of leases for sixty years, but he thought it was very wrong that those Native reserves should be granted for such a long period as sixty years. That period might never be arrived at, and it really meant that the land would go altogether. Perhaps that was in the mind of the people who prepared the Bill; but at any rate that provision would be the means of depriving the Natives of their land altogether. The Maoris would object very much if this Bill were pressed on by the Government. The Natives would be prepared to accept a proper Bill carefully considered, but not a Bill brought in hurriedly and pressed on as this was going to be done. The House might consider that if this Bill were passed the Maoris would agree to it; but the Maoris would not consent to it altogether—they would consider the point where it was left to the Maoris to manage their own lands. He hoped the Government would let the Bill stand over. The leases of the Greymouth Native reserves had a long time to run yet—about ten years; and the Natives who were interested ought to be consulted during the recess with a view to obtaining their consent. He was the Maori representative of the Middle Island, and he was the person to whom all petitions and complaints with reference to the acts of the Commissioner were sent. Certain Natives who were in Wellington saw a copy of this Bill last night, and had a meeting, at which they objected to this Bill being passed. He would state the heads of their objections. They objected to the Bill because the Native Commission which could have been appointed under the former Act was done away with. They also objected to the lengthened period for which leases might be granted, and to the European Commissioner having sole control of the land which belonged to the Natives. The meeting requested that the Bill might be printed in the Maori language, and circulated for the information of the Maoris of both Islands. The chiefs present were Major Kemp, of Wanganui; John Topi, of the Middle Island; and John Jury, of Wairapa. Those were the principal ones who were there, and there were a great many others present. Their objection was not directly against the Bill, but they desired that it might be put off to another session. He hoped the Government would agree to their request, and allow the Bill to be put off.

Mr. SPEAKER said it was his duty to draw the attention of the House to the fact that he had been informed that this Bill had not been

circulated in the Native language, and, under those circumstances, he did not think it ought to be proceeded with. There was no doubt that there was very great laxity in the way in which the Standing Order on the subject was drawn out; nevertheless, if this Bill was to be proceeded with this session, not having been circulated in the Maori language, he was clearly of opinion that it would be in violation of the spirit of that rule. This Bill, therefore, ought not to be proceeded with.

Mr. BARFF was under the impression that the Bill had been circulated in the Maori language, as some days ago he was offered by the Clerk a copy of the Bill so printed. If it were proved that the Bill had been circulated in accordance with the Standing Orders, it would be a great mistake that it should be withdrawn. He did not say it was a perfect measure—it was far from being so; but at the same time it was a step in the right direction. He had had considerable opportunity of studying the measure; and although the Government had not adopted certain suggestions he had made in regard to one of the Native reserves in the district which he represented, still there were good features in the Bill, and it would be a great mistake if, having been printed in Maori, it should be withdrawn.

Mr. NAHE pointed out that the Bill had been translated and printed in the Maori language before it was introduced into the Legislative Council.

Mr. SPEAKER said it was a nice point whether, that being the case, it would be necessary, under the Standing Order, that the Bill should be laid aside.

Mr. BOLLESTON thought it would be a very great mistake if a Bill of this kind were hurried on at the last moment of the session. It might be that results would come from this Bill which the Natives would view with great suspicion; and it was very desirable that there should be no impression on their minds of hasty legislation in a matter affecting themselves. He had looked at this Bill, and believed it was a very good one. He was quite satisfied that the Natives would be doing wrong if they thought that, with regard to townships like that of Greymouth, they were going, in the future, to deal with their property themselves, in a way that suited their own particular ideas of settlement, but not those of Europeans. Having had something to do with these Greymouth reserves in past times, he was exceedingly anxious that they should continue to be dealt with, as he believed they had been dealt with, in the interests of the Natives, and, at the same time, in the interests of the Europeans. He did not hesitate to say that there was no Native property that had been so well administered, and so beneficial to the Natives, as this property at Greymouth. Nevertheless, he quite recognized that this Bill was a very beneficial measure, as tending to make those reserves popular in the eyes of the Europeans, and, at the same time, productive of larger rentals to the Natives. He had watched the course of these Native reserves in the colony very much, and he quite admitted that the Natives had just cause to

view with great jealousy any legislation that took place with regard to them. He believed that, in this particular instance, the Natives had no reason to fear the Bill; but the session was so far advanced that it could not have that consideration that would commend it generally to the Natives, and the House would make a great mistake, under those circumstances, in going on with it. He would like, further, to see certain disabilities removed from dealing with these reserves, which at present pressed hardly upon the Europeans in Greymouth, and which rendered the property less profitable than it might be to the Native Trust. He thought that, during the recess, with the consent of the Natives—and, under the provisions of the Act, he might say that those reserves could not be dealt with without the consent of the Natives—the Native Commissioner might make with the Government such provisions with regard to the future as would meet the views of the Natives and also of the Europeans, and they might then come down to the House for confirmation. He quite agreed with the Maori member for the Middle Island that there should be no dealing with those reserves without the consent of the Natives themselves, and he hoped they would stick to that. He would give one word of warning that he had given before in the House to the Natives—namely, to mistrust anything like the common phrase that was used with regard to the Natives, “Why should you not deal with those reserves just as you like yourselves?” That was very often the phrase used by Europeans who wished to get, through the medium of the cry of “One law for the Natives, and for the Europeans,” control over those reserves, which would ultimately end in the Natives losing their beneficial interest in them. He warned them to beware of that. At the same time he felt that, in the interests of the Natives generally, it was very desirable that considerable powers, properly limited, should be given to utilize those trusts to the utmost. There were two classes of reserves, one of which he thought should not be dealt with otherwise than the Natives wished themselves; but these town reserves, if honestly dealt with by the Government, with a certain check with regard to the consent of the Natives as to dealing with them, would be much better managed by European trusts than by Native trusts. The Natives might depend upon it that if in a large European community, where they were in such a small minority, they determined and insisted upon dealing with the lands in a way that would injure the European population, it would ultimately end in damage to their own interests. Under all the circumstances, he thought it would be a mistake to go on with this Bill. If the Bill was gone on with, he trusted that the Bill, which had been carefully prepared, and he believed was a good one, would be stuck to as it stood.

Mr. KENNEDY regretted exceedingly that this Bill had not been before the House at an earlier period. That it was not was owing, he believed, to the illness of the Native Minister and of the Hon. Dr. Pollen. Early in the session

he asked that a Bill of this nature should be introduced, so as to deal with those reserves in Westland, and a promise was then given that some action of this nature would be taken. The Bill that was now before the House was certainly, as far as he could see, more in the interests of the Native race than of the European settlers. He would call particular attention to the circumstances under which the Greymouth Reserve had been settled upon. The leases in this instance had not been taken from the Natives. This property had been altogether managed by the Crown, and consequently the tenants, in accepting leases from the Crown, were not so particular with regard to the conditions as they would be if dealing with the Native race themselves. The term of those leases was twenty-one years, and a promise was given that no difficulty would be thrown in the way of renewing those leases. There was an absolute promise to the Europeans that those leases would be renewed from time to time, subject to an equitable adjustment of rent. This feature would appear from the following statement put forth by Mr. Alexander Mackay, the agent for this reserve:—

“In justice to the original tenants on other Native reserves in Westland, as pioneers of settlement, or to the persons who have since purchased their interests, a renewal of the leases should be granted them at a rate of rental consistent with fairness, irrespective of improvements. The property being indebted for its improvement entirely to their capital, it follows, therefore, that the law by which the ownership of improvements follows the ownership of land would, in this instance, be in the highest degree unjust and inapplicable.

“In the case of these reserves, the tenants have improved the property on the full reliance of getting an extension of lease at the expiration of the subsisting term, the understanding being that, as the intention is to encourage the occupation of these lands in perpetuity with a view to secure a fair pecuniary return for the benefit of the persons beneficially concerned, there would be no difficulty in obtaining a renewal; yet on a change of management, without a definite arrangement is made with them to that effect, the land in all probability would be re-assessed, when the best properties would have the rents raised, the land in fact being worth more in consequence of the tenants’ improvements.

“It will be easily understood, therefore, that the Act of 1878 caused considerable uneasiness to the tenants at Greymouth as to how the Board of Management would deal with the question of extended leases, as it was well known that the Natives to be elected for the position must be chosen from the persons who had openly stated their intention to take possession of the property at the termination of the existing leases.

“It was looked on by the tenants as a grave injustice, and to a certain extent as a breach of faith with them, after having been led to suppose from the first that the estate would always be administered by the Government, that the Act permitted the handing over of large and important interests to the mercy of two or three inex-

perished Natives, who had no knowledge of the laws of property, and who were unable to appreciate equity."

There were upwards of a thousand properties erected upon this Native reserve, and the value of the improvements exceeded £200,000. He noticed that Mr. Mackay said the value of the properties was £40,000; but that was only the annual value. The number of Natives beneficially interested in the reserve did not, he believe, exceed thirty-five. In any measure introduced for the purpose of dealing with this reserve, he hoped that the European interests would not be overlooked. If they asked that power should be given to extend the leases for a term of sixty years, they would only be asking that which prevailed in almost every other town in the colony. If, at the commencement of settlement at Greytown, these reserves were in the hands of the Natives themselves, he was quite satisfied the Europeans would have made terms much better than they could now make by any legislation brought before the House. He would put it to honorable members if, in the cities of Auckland, Christchurch, and Dunedin, the whole settlement was built on Native lands, and if the leases had been obtained from the Crown on the understanding that those leases would be renewed from time to time, they would consider it fair or equitable that the right of renewing those leases should be transferred to the Natives, more particularly when the Natives had themselves shown a disposition to get possession of this reserve, with the avowed intention of having the fullest valuation for the improvements at the end of the term. This had been shown by a petition to the House and to the other Chamber. These petitions went before Committees, and reports had been laid before the House, from which it would be seen that the Natives had no reason to complain whatever. With regard to the Act of 1873, which had not been called into operation, he might say that the principal reason why it was not brought into operation was that the European proprietors in Greytown saw that if it was brought into operation their interests would be materially prejudiced, and they petitioned that the Act should be allowed to remain in abeyance. The principal reason for that was that it was perfectly evident that, if the tenants had to rely upon a Native Board for the renewal of their leases, their position would be materially altered. He made these remarks in the hope that they might have some influence upon any Bill dealing with the question which might be introduced next session, because he saw it was too late now to press this Bill upon the attention of the House.

Mr. WHITAKER said he agreed with a great deal that had been said by the honorable member for Avon. He did not intend to press the Bill, in deference to the opinion expressed by Mr. Speaker, and also having regard to the opinion of the Native member for the Middle Island that it was desirable to let the Bill stand over. Another reason, he thought, was that this Bill was amending another Act, which had not been brought into operation. Instead of amending the latter Act in that way, he thought it desirable to introduce the

whole of the provisions in one Bill. He would undertake, on the part of the Government, that a Bill would be brought in next session in which due care would be taken to see that the interests of the Natives were protected, and also that the interests of the Europeans should be considered. He would move, That the Order of the day be discharged.

Bill discharged.

NATIVE GRASSES.

Mr. ROLLESTON would ask the Colonial Treasurer, Whether the Government propose to do anything with regard to the question brought under their notice by the honorable member for the Thames relating to the publication of a work on Native Grasses? He wished to know whether they would provide a sum out of Contingencies for the purpose of carrying out the expressed wish of the House that something should be done to promote a work on the subject of Native Grasses. A sum of £400 was recommended to be voted for that purpose, and he did not see it on the supplementary estimates.

Major ATKINSON was sorry that the subject had escaped his attention, as it was one of very great importance. The matter had been overlooked in the hurry of business, but he would take care that the order of the House was carried into effect, and the Government would provide a sum out of Contingencies, for the purpose specified.

SCHOOL BUILDINGS.

Mr. MONTGOMERY wished to bring under the notice of the House a matter of considerable importance. He was aware that the matter had engaged the attention of the Premier last session, and he hoped he would not offer any objection to the resolution he was now about to propose. He would move, That, in the opinion of this House, it is desirable, in dealing with the appropriation of the proposed loan of one million, that a sum not exceeding £50,000 should be appropriated to the erection of school buildings throughout the colony. The honorable gentleman had himself stated that no provision had been made for school buildings in various parts of the colony, and that this was a want which ought to be satisfied. He (Mr. Montgomery) had himself proposed that the sum of £50,000 out of the available balance of the General Purposes Loan should be applied to this object; but the intention expressed therein was departed from, and no money was in fact appropriated out of the General Purposes Loan for school buildings. They were now about to borrow another million of money, and that want was still unsatisfied. In Westland and other parts of the colony the school buildings were quite insufficient, and the sum of £50,000 would not be sufficient to put the schools in anything like a proper state of efficiency; but it would, at all events, be an acknowledgment that that which the Premier himself considered a crying want last year, and which had not been satisfied in any degree since, should be attended to; and that, in borrowing any money to carry out the material

progress of the colony, they should not leave out of consideration the higher object—the intellectual advancement of the rising generation. He would not take up the time of the House by making a speech on the subject, but he thought it was of so much importance that he would press the motion. He hoped the Treasurer would have no objection to it. It was in accordance with his own expressed wish, as well as in accordance with the necessities of the country; and he did not know of any better way of expending £50,000 out of the additional loan proposed to be raised for the benefit of the colony. He observed that, in the supplementary estimates, a sum of £14,000 was put down for school buildings in Auckland; but that would not at all be sufficient. He hoped another year would not go over without something being done towards carrying out so desirable an object as the erection of suitable school buildings in different parts of the colony.

Major ATKINSON thought this was a rather unfortunate motion for the honorable gentleman to bring forward at this time of the session, when there was no possibility of giving effect to it, for it would be impossible to put the vote into the Appropriation Act; besides, the amount agreed to be borrowed was to carry out absolute engagements, and was already fully appropriated.

Mr. MONTGOMERY said he had given notice of his intention.

Major ATKINSON knew the honorable gentleman did mention it, but not at all in a practical way. The object the honorable member had in view was one the House would cordially concur in, and it was one which entirely met the views of the Government in so far as it might imply that, under proper consideration, necessary additions to the school buildings throughout the colony should be made. The Government had taken such provision as they believed to be necessary for the ensuing six months, during which it would be their business to administer the affairs of the colony. The Superintendents of the various provinces, through the Education Boards, had made proper provision extending to Christmas. The Superintendent of Auckland had complained that provision had not been made, and had sent in large supplementary estimates, which the House was pleased to vote on the previous night in part, and would be asked to complete to-day. Of course, although asking the House to vote a large sum, he would not be prepared to spend it unless he fully approved of the absolute necessity for it; because, as honorable members knew, it was now necessary to be very cautious in undertaking any expenditure. He would suggest to the honorable member for Akaroa that he should withdraw his motion, because it was quite impossible that this expenditure could come out of the £1,000,000 they were going to raise, for that was already appropriated to other purposes. If the House desired to expend this sum irrespective of the votes already taken, or proposed to be taken that day, and gave the Government the authority, they would, if they could see their way to obtain the money, devote it to this purpose. To enable them to do so they would re-

quire increased power with respect to unauthorized expenditure, and when the Public Works Bill came under consideration, the honorable gentleman could ask to increase the unauthorized expenditure by £50,000, that sum to be spent upon school buildings. That would give effect to the honorable gentleman's motion, which as it stood would have no practical effect. However, he would submit to the honorable gentleman that this matter should be allowed to stand over till next session, when Ministers would be very glad to tell the House what was really wanted. The Government would get on very well until next session with the vote they had taken. He trusted the honorable gentleman would, after that explanation, withdraw his resolution.

Sir R. DOUGLAS would urge the necessity for provision being made for the erection of additional school buildings; for the manner in which little children were crowded together in whares, or rather shanties, in some parts of Auckland, was disgraceful.

Mr. LUSK understood the honorable gentleman to say that the money would be expended in Auckland if necessary. Would the honorable member explain what he meant by that?

Major ATKINSON had no knowledge of what the actual requirements of Auckland were. He had only taken the figures sent down by the Superintendent, and had not had time to make inquiries. The Government would expend what it thought necessary, after consultation with the Education Board.

Mr. SHEEHAN would support the resolution, and was sorry that the Government had not agreed to it. A sum of £14,000 would be only a drop in the bucket as regarded Auckland: it would take £50,000 to erect the school buildings required in that province. The Government might very fairly allow the vote to pass, and endeavour to give effect to it. If the Government had not the money, they could come to the House next session for a vote; and if there was a surplus revenue, it could not be devoted to a better object. The honorable member for Akaroa had acted very generously in this matter, for it was understood that Canterbury and, he believed, Otago were better provided with school buildings than the rest of the colony; and the motion appeared to be in the interests of the poorer provinces, which had not been able to provide for school buildings in years gone by. He trusted the Government would allow the resolution to go.

Mr. TRIBE hoped the resolution would be withdrawn, for he thought it was too important a matter to be brought down at that period of the session. He objected to borrowing for such purposes; for if they agreed to borrow for erecting school buildings, the House next year might be asked to borrow for building churches. It would be far better to leave this matter over to another session. He did not wish to express his opinion upon it, one way or another. On a future occasion, they might consider whether it would be desirable to allow special borrowing on the security of the education reserves for the erection of school buildings. The honorable member for Rodney said that £14,000 for Auckland would be

but a drop in the bucket; but the honorable gentleman must understand that the bucket could not be filled in one session. They must be content to get their wants supplied in this respect step by step. He hoped his honorable friend the member for Akaroa would allow this matter to stand over to another session, which would not be a very long time.

Sir G. GREY had simply to say that he trusted the House would support the motion. He considered it was most desirable to affirm at once so important a resolution, and he could not think that the late period of the session was any bar to their doing that which was right and good. They should affirm they were determined that something should be spent out of the loan about to be raised upon so desirable an object as the education of the children of New Zealand, and in erecting buildings absolutely required; for although he must admit, and he did so with very great readiness and gratitude, that the Government had shown every desire to make immediate provision for the erection of proper school buildings in Auckland and in the country districts of that province within the next few months, he thought that that provision would by no means furnish such buildings as were requisite on the whole for that province. He knew that in other parts of New Zealand a similar demand for school buildings existed; and he trusted the House would affirm the resolution, which could in no way embarrass the Government, but would only strengthen their hands in pursuing that course which he submitted they ought to be but too ready to adopt.

Motion agreed to.

J. GOODFELLOW.

Mr. MURRAY asked whether the Government would carry out the recommendation of the Public Petitions Committee in the matter of the petition of J. Goodfellow, and appoint some competent and impartial person to inquire into the losses which Mr. Goodfellow had sustained, with the view of a full and early settlement of the case. He trusted the Government would agree to this. He did not intend to move a resolution; and as he had explained his views in relation to the question on a previous day, he would not repeat them.

Mr. RICHARDSON did not wish to take up the time of the House by going into the matter at length, as he had intended to do if the honorable member had brought the subject forward at an earlier period in the session. If Mr. Goodfellow put a fair statement of his case before the Government, he thought he might say the matter would be arbitrated in the manner provided under the contract. From the commencement of the session, the Government were prepared to do that. In fact, they were compelled to do so under the terms of the contract. Mr. Goodfellow had not taken the steps open to him under the contract, but had applied direct to the Public Petitions Committee. If the petitioner had applied for his remedy under the contract, the matter might have been settled months ago.

CORRESPONDENCE WITH THE SECRETARY OF STATE.

On the motion for going into Committee of Supply,

Sir G. GREY, before the motion was put, wished to bring before the House a question of privilege, which he trusted the Government would consider during the recess, and which it was necessary, in the interests of the country at large, should be settled as soon as possible. The present session was too far advanced to deal with the subject, but the question was nevertheless as important a question as ever was raised. He received, on the 21st instant, the following letter from the Private Secretary of the Governor:—

“New Zealand,

“Wellington, 20th October, 1876.

“SIR,—I am directed by His Excellency the Governor to acknowledge the receipt of your Honor's letter of the 19th instant, enclosing certain proof sheets of *Hassard*, which you request might be forwarded to the Secretary of State for the Colonies; and to inform you that in the present instance he has forwarded a copy of your letter, together with the enclosures.

“2. I am further directed, again to call your Honor's attention to the directions contained in paragraph 218, page 55, of the Colonial Office Regulations, which require that correspondence to be forwarded to the Secretary of State for the Colonies should be furnished in triplicate; and to inform you that His Excellency the Governor will in future decline to forward any correspondence unless this rule is complied with.—I have, &c.,

“IRWIN O. MALING, 35th Regt.,

“Private Secretary.

“His Honor the Superintendent of Auckland.”

The point of privilege he wished to raise was this: that this book of Colonial Regulations was a book altogether unknown to the public. No copy of it was to be found in the British Museum, and it was not to be purchased in any part of the Empire. It contained many obsolete rules which would be very oppressive to the Queen's subjects; and in bringing the matter before the House, he spoke solely in the interests of the public, and not from any merely personal view. If an individual wished to address his Sovereign from any part of the Empire, it would be a most burdensome thing to have to furnish triplicate copies of his communication, particularly if he were a poor person. He might say that during his twenty-six years of service as Governor that rule was never enforced, for the reason that it was regarded as one of many obsolete rules which the book of Colonial Office Regulations contained. The rule observed was that, where a document was furnished in original, the necessary copies were made by the Governor's office. To the secretaries there the trouble was small; but it would be great to the persons who wished to address the Home authorities. That, however, was not the chief point to which he wished the Government to direct attention during the recess. What he wished particularly to bring under their notice was this: The Governor was appointed by the Crown, and was the only means through which they could communicate with their Sovereign.

reign. The Governor was paid for his services by the colony; and he submitted that, whilst the Secretary of State had the right to transmit instructions relating to all matters exterior to us, and concerning only the Governor himself—as to his tenure of office, for instance, and the advantages he derived from it—we were the persons to lay down regulations on questions affecting ourselves, and it was the bounden duty of the Governor to conform to them. They should not allow an exterior authority to lay down regulations in matters concerning the Colony of New Zealand. To give another instance of what he meant, he might mention that, previously to his occupying the position of Governor, a rule was enforced under which a fee was imposed upon all documents received from individuals for presentation to the Queen, and a fee had to be paid on all copies made. That was a grievous burden, and shut off the people from a right they ought to possess. If this rule as to the preparation of triplicate copies were enforced, the very obsolete rule exacting fees might also be enforced. The question which he maintained ought to be taken up next session was, that all regulations relating to transactions passing in the colony should be regulated by themselves, and they—who paid the salary of the Governor—should have the same right to expect obedience to those regulations as the exterior authorities had to expect obedience from him; in which they and the Governor himself had a direct interest. He now gave notice that, at the earliest possible period in the next session, he would bring the subject before the House.

Major ATKINSON said the Government were quite ready to consider the question, so far as it was their duty to consider it. The honorable gentleman, from his long official experience, must know that certain rules were necessary for the protection of the Governor and the dignity of his office. He took it that the rule read by the honorable gentleman was drawn up with a view to prevent the possibility of correspondence being suddenly placed in the hands of the Governor in a manner which left no time for the preparation of copies to be despatched by an outgoing mail. The rule referred to was never enforced against poor persons, or persons unfamiliar with official etiquette; but it was necessary, because if it were abrogated the Governor would either have to keep the originals of the correspondence until copies were made, or send the originals themselves. In recent cases, rather long correspondence had been sent to the Governor just as the mail was leaving, and His Excellency, considering from whom the letters came, very rightly demanded that the official rule should be complied with. He did not see in what way inconvenience was likely to arise. Of course, if it was necessary or desirable to give greater publicity to the fact that the book of Colonial Regulations was in future to be observed, intimation to that effect could be given in the *Gazette*, but practically there was no necessity for it. Where correspondence was sent in by persons not acquainted with official forms, the Governor would, no doubt, give them every facility, as he always had done.

SUPPLY.

The House went into Committee of Supply.

CLASS VI.—NATIVE DEPARTMENT.
Salaries and Contingencies, £25, agreed to.

CLASS VII.—MILITIA AND VOLUNTEERS, ARMED
CONSTABULARY, AND DEFENCE.
Armed Constabulary, £750, agreed to.

CLASS VIII.—PUBLIC DOMAINS AND BUILDINGS.
Public Buildings, £1,650, agreed to.

CLASS IX.—RAILWAYS.

Southern Railways, £2,628 12s. 4d.

Mr. ROLLESTON would like to ask the Minister for Public Works if the Government were going to do such an injustice to the South as to take over the Canterbury Railways, and then continue to expend provincial funds upon what had become colonial property?

Major ATKINSON.—No.

Mr. ROLLESTON was glad to hear the disclaimer from the Premier. Then what provision was made on the estimates for carrying on such works as sidings, stations, and workshops on these railways, that would be in progress at the time the railways became colonial property? A great wrong would be done if provincial money were expended upon what had become colonial property.

Major ATKINSON did not know whether he understood the honorable gentleman. When the railways were taken over, all works required to be done, such as new stations, fresh sidings, and so on, would be paid for out of colonial money? If the honorable gentleman meant that the contracts now let at the instance of the Provincial Government, and which that Government said there was sufficient money to carry on, should be carried on by the General Government, out of colonial funds, the Government were not prepared to take that course.

Mr. ROLLESTON said that the provincial estimates had been sent in with the thorough understanding that as soon as the railways became colonial property, provincial expenditure on them would cease. Any other course would be a gross injustice. The spirit in which the estimates had been sent in was, that no great public inconvenience should be allowed to ensue during the period of the liquidation of the provincial estates. No justice would therefore be done if provincial funds were expended on these railways one moment after they became colonial property.

Major ATKINSON did not understand what the honorable member meant by "justice." If a Provincial Government, in sending in an estimate for a railway to cost say, £100,000, informed the General Government that there was £100,000 for that purpose in the provincial chest, and it was found, after the provinces were abolished, that there was sufficient money to complete such railway, the money would certainly be used for that purpose; the £100,000 would not become provincial property, and the Assembly would not find the money for completing the railway out of colonial funds. The Assembly allowed the pro-

vinces to say what railways should be made, on the understanding that the provinces should find the money. If that principle were altered, and the colony had to find the money, applications would at once be sent in from all parts of the colony to have railways constructed.

Mr. ROLLESTON said the honorable member put a case entirely beyond the point raised. It was not to be supposed for a moment that, if there was an outstanding liability for a branch railway, the province would have any right to make a claim on the colony to cover that liability; but there were works connected with the railways—such as stations, workshops, and so on—which were entirely for the benefit of what would be colonial property in future, and from which, during the time the province existed, it would get no benefit. It would be monstrous to say that these should be a provincial charge. To make them so would be to take from what should go to the outlying districts, in order to benefit the colony.

Mr. SHARP said it was, after all, a mere matter of account. The colony was borrowing £2,000,000, part of which was to discharge provincial liabilities; and if the colony undertook to carry out contracts entered into by Provincial Governments, the expense must be made a provincial charge if the borrowed money was not sufficient.

Mr. MONTGOMERY said the point was, that up to the time of taking over the railways, the moneys expended should be a provincial charge; but works undertaken for the benefit of the future should clearly be a colonial charge.

Mr. RICHARDSON was understood to say that the unexpended amount would be the balance on the contracts already undertaken. The railways now the property of the provinces would have to be valued when taken over; and of course whatever amount was due upon any particular contract would be taken into account, and charged to the provinces. There would naturally be many works which would have to be carried out after the railways were taken over, and these would be a colonial charge.

Mr. MONTGOMERY said a portion of the loan was intended to cover provincial liabilities. Then why not apply that money to the purposes indicated, and charge the interest on the province, instead of charging the cost to the land revenue that might chance to be in the provincial chest?

Mr. ROLLESTON said it was not merely a matter of account. The Provincial Government might have sent in no estimates for these works on the railways. In that case, the railways would be working at a disadvantage to the colony, while the provinces could have devoted the money to the Road Boards.

Major ATKINSON must point out that railways were a great advantage to localities as well as to the colony, although the honorable gentleman seemed to think it was only the colony which would benefit. The Government must exercise some discretion in the matter. Of course, there might arise cases in which it would be right for the colony to pay these charges.

Item, £2,628 12s. 4d., agreed to.

CLASS X.—MUNICIPALITIES AND ROAD BOARDS.
Charitable, £17,185, agreed to.

DEFENCE AND OTHER PURPOSES LOAN.

Roads in Native Districts, North Island, £10,000.

Mr. MURRAY said he did not think it was desirable to charge the maintenance of roads on the loan.

Major ATKINSON said the honorable member did not seem to understand the object of the vote. The amount was a saving on the Defence Loan, and the Government had applied the money to the maintenance of roads in the Native districts of the North Island, because those roads were matters of defence; and the Government believed it was far better to expend the money on their maintenance than in keeping up a number of armed men.

Mr. REYNOLDS thought it was wrong in principle to charge the maintenance of roads on loan. If there were to be counties those counties should provide for the maintenance of their roads. It was absurd to talk of giving contributions in proportion to the rates levied, and then bring up special votes like this. He thought it was not right that large sums of money should be granted for the roads in the North Island, and not for those in the Middle Island.

Mr. GIBBS did not agree with the last speaker. He thought that the colony had been acting on a wrong principle for a long time in inducing people to take up land without giving them roads whereby they might get to it. The honorable gentleman had said that every county should support its own roads; but when he spoke in that way he must have been thinking only of the wealthy County of Dunedin.

Sir G. GREY wished to know where the Native districts referred to were.

Mr. RICHARDSON said they were the outlying districts all over the northern part of this island.

Mr. REID said there were plenty of outlying districts in Otago which might be proclaimed Native districts, and then they would doubtless have money provided for them to make roads with.

Item, Maintenance of Roads in Native Districts, North Island, £10,000, agreed to.

STATE FORESTS ACCOUNT.

Item, Chief Office, £1,400.

Mr. MURRAY would like to know whether it was intended to keep up the Campbell-Walker Department. He had no wish to oppose the vote on this occasion, but he hoped that the Government would be able to say that they would not require to put the amount on the estimates next year.

Major ATKINSON could not give the pledge the honorable gentleman asked for. Captain Campbell Walker would prepare a report for presentation to the House next session, and it would then be for the House to say what steps the Government should take with regard to the matter.

Sir B. DOUGLAS thought that this money

required to be voted this year to pay expenses already incurred, and therefore the House should pass the item.

Mr. MONTGOMERY asked whether any fresh engagements with respect to State forests would be entered into during the recess.

Major ATKINSON said that no fresh engagements would be made under the State Forests Act. Nothing more would be done without consulting the House.

Mr. SHEEHAN would like to know whether this was to be the "wind-up" of the affair. He wanted to know whether this was the last payment they were to make in regard to the department.

Mr. REID had no doubt they would have a very nicely printed report placed before them next year; but he thought that this was all the colony would receive for this £1,400, and he did not believe that the report would give them much information after all.

Mr. W. WOOD thought the House should know whether this was or was not to be the last sum of money they would be asked to vote for the department.

Mr. CARRINGTON said the House ought to be satisfied with the assurance of the Premier that no further action would be taken in regard to the matter without consulting the House.

Mr. W. WOOD wished to know whether the Government would give any assurance that fresh expenditure would not be incurred. If fresh expenditure was to be incurred, he would vote against the item.

Major ATKINSON repeated that no fresh engagements would be entered into.

Mr. ROLLESTON thought the Premier's assurance was ample. This amount was payable under the Act, and great difficulties would arise if they threw it out.

Item, Chief Office, £1,400, agreed to.

Item, Transfers to the Consolidated Fund, £10,504 11s. 8d., agreed to.

LAND FUND.

Item, Surveyor-General's Department, £500, agreed to.

Education, £14,000.

Mr. ROWE took exception to the proposed vote for the Auckland Museum of £2,000. The centres of population had ample provision, while the outlying districts were neglected, and had to depend entirely upon public support. The centres of population ought to be better able to maintain these institutions, and should not receive Government aid, while the wants of the outlying districts were disregarded.

Mr. LUSK was surprised at the remarks of the honorable gentleman. To his knowledge, the honorable gentleman's district had received thousands of pounds for every hundred spent within and directly about Auckland. Not one single school-house had been built in the neighbourhood of Auckland, while thousands of pounds had been spent at the Thames.

Mr. ROWE said that was incorrect. All the school houses at the Thames had not cost £1,000, and were not worth £500.

Sir G. GREY explained how this vote of £14,000 was divided: £8,000 was for school buildings in the city of Auckland and its vicinity, there being absolutely no suitable school buildings in that part of the province; £4,000 was to be set apart for school buildings at the Thames; and on the Coromandel Peninsula £2,000 was to be spent in the country districts.

Mr. ROWE explained that he had spoken under the impression that this was the vote for museums.

Item agreed to.

Museums, £2,000.

Mr. ROWE asked if this money was to be applied throughout the province generally.

Major ATKINSON said it was not. It was to pay off a debt on the Auckland Museum.

Mr. BARFF asked the Premier if these sums which were being voted during the present session for museums throughout the colony were to be locally charged or placed against the Consolidated Revenue.

Major ATKINSON said they were all to be locally charged, and debited against the respective Land Funds.

Sir R. DOUGLAS said that was rather a hard case. He had asked if any money was going to be voted for country libraries, and had been told "No." This was the way, it appeared, that the money from the Land Fund was to be spent.

Mr. SWANSON said he must set his face against the unconditional granting of this item for the Auckland Museum, which was in the hands of a small coterie of scientific gentlemen, and was in no sense like the Mechanics' Institute or the assisted local libraries. There was a certain sum of money set apart for public libraries, and these gentlemen became entitled to participation in it. It was a rule in the Provincial Council that the books to be distributed to the various libraries were to be submitted to the Committee of the Provincial Council Library, in order that they might exclude light literature and confine the distribution to books that would set the mind or the hands at work, and give information which would really be of use. The body to which he alluded sent in a requisition for books of a very costly character, and exclusively on high and dry scientific subjects, such as the physiology of the blow-fly, and facts concerning British spiders. While he recognised that there were works of this nature of a very useful description, he thought, with the Committee of the Provincial Council, that the money spent upon them would not be productive of the amount of public good that the vote for the purpose was expected to accomplish. The Committee declined to give the money for the purchase of these books. Again, the Museum was not convenient or suitable to the ordinary run of people, and he did not think it was open to the public in the evening. He had been astonished to find that a body, which was in no sense a public body, had sent an intimation to the Government that they would take the Provincial Council Library under their charge; and the Government, he said advisedly, had been base enough to throw out in the Upper House the

Bill passed here. The gentlemen named in that Bill, and who had been characterized as a lot of mob orators or something of that sort, only desired that the Provincial Council library should be placed in their hands for the benefit of the Auckland public. What was intended by the Bill, which was introduced at their instance, was, that the library should be held in trust for the public. The Auckland Museum was in no sense open to the public except, perhaps, in the same way that Government House was—accessible only to a select few—or as the Assembly Library, which could not be said to be open to the public.

Major ATKINSON said that if the honorable gentleman desired to strike this item out, the Government would have no objection.

Mr. SWANSON did not desire that. He wanted this money to be given to the public libraries in the province, where it would be of real and general use.

Major ATKINSON said the Government could not assent to that.

Mr. SWANSON was sorry if that was the honorable gentleman's policy—that a select few of the "upper ten" were to have this money given to them for this purpose, subject to no public control.

Mr. WHITAKER said the honorable gentleman was altogether under a misapprehension when he said that the Institution belonged only to a select few. He was mixing up two things which had no connection, further than that the one institution was under the management of the other. The Museum was open to the public, and belonged to the public. The Museum was open to the public free of charge, and in this respect was not to be compared with the Mechanics' Institute. If a man wished to belong to the Mechanics' Institute he had to pay, but he could visit the Museum without any payment as often as he liked. It was open for the instruction of the public and for the use of the public so many days in the week. With regard to the honorable gentleman's observations about the Government handing over the Provincial Council Library to the Institute, he (Mr. Whitaker) had never heard of any such thing. He promised the honorable member for Onehunga, on the part of the Government, that nothing would be done with the library until next session, when he said he thought it might be made the foundation of a public library; and that was the way the matter stood. So the honorable gentleman had made a speech on a subject about which he was entirely mistaken.

Mr. SWANSON said the Postmaster-General appeared to be under the impression that the Auckland Museum was accessible at all times, morning and evening, to the public. His (Mr. Swanson's) impression was that such was not the case. The Museum should be open from ten to four o'clock, and at least three evenings in the week for the convenience of working people and their families. He was anxious that this should be done. The great bulk of the working classes lived at a distance from the Museum, which was

not centrally situated; and it was out of the question for them to avail themselves of the advantages of the institution between the hours of ten and four o'clock. They were all at work during that time. They should have access to the Museum at least during three evenings in the week.

Mr. BOWEN said the Government were only making temporary arrangements; but they would take care that the Museum was made as accessible as possible to all classes of the public.

Mr. ROLLESTON said the museums should be open to the public on Sundays. The working-men could enjoy themselves to greater advantage than by visiting these institutions in the evenings. They should follow the example set in Canterbury, and open the atheneums and museums on Sundays. This would be a privilege which the working people would appreciate.

Mr. ANDREW hoped the suggestion of the honorable member for Avon would be carried out. The people could properly employ themselves on Sundays by visiting such institutions.

Mr. DIGNAN trusted the suggestion would not be acted upon so far as the Province of Auckland was concerned. The people of Auckland would not care to spend their Sundays in such places, and in that respect perhaps they differed from the people whom the honorable member for Avon represented.

Sir G. GREY said this matter should not be dealt with in a summary way; and he should like to know what the Government intended to do in regard to these public institutions. He thought some regulations should be laid down for their management. A much larger question arose for consideration—namely, what was to be done with the Provincial Council Library? The Government had assented to certain things being done, and their own colleagues in the Upper House had upset their action in that House. When the Bill was under consideration in the Legislative Council, their colleague used most improper expressions towards members of this House, expressions which amounted to a breach of privilege. A Bill was passed in this House for the purpose of making the Provincial Council Library a public library for the people of Auckland; and those honorable gentlemen who had endeavoured to carry out the object were called "mob orators" by the member representing the Government in the Upper House, and had other terms of that kind applied to them. All the action of this House had been upset by the direct interference of a member of the Government. He thought it was an absolutely unknown thing that there should be one Government in this House and another Government in the Upper House. It was something absolutely intolerable that the Government should support the measure in this House, and that it should be defeated by the action of the member of the Government in the Legislative Council, and that that member should apply injurious terms to the supporters of the Bill in this House. A Bill to make the Council Library a public library for the citizens of Auckland was a good and proper measure. The Provincial Government of Auckland gave grants in aid of libraries through-

out the province. At the Thames there was a museum partly supported by the Provincial Government. Throughout the province country libraries had been established, but these would now be swept away. Instead of giving one large vote for the support of one institution in Auckland, a number of votes should have been proposed for the support of libraries throughout the province. It was a most unfair and improper proceeding on the part of a great Civil servant who was appointed a Minister, and who represented nobody, to have used such language as he applied to the members of this House and the representatives of the Province of Auckland. The Government should have informed the members of this House of the action that was about to be taken in the Upper House with regard to this Bill. The whole proceeding was one of a party character and of a class character. He trusted the Government would inform the House what course they intended to take with regard to the library—whether they would carry out the wish of this House, or whether they would support the action of their colleague in the other branch of the Legislature?

Mr. WHITAKER said he had a conversation with the honorable member for Onehunga regarding this Bill, which was a private member's Bill, and one upon which members of the Government could entertain different views. He had no doubt that next session some arrangement would be made by which this library would be made available to the public. He had told the honorable member for Onehunga that if the measure were not passed this session, he would undertake, on behalf of the Government, that the library should be kept in its present position—so that next session it would be open for Parliament to give effect to his wishes, and take steps to make the library the foundation of a public library for the people of Auckland. The Government were in no way bound by anything said in the Upper House with regard to this Bill, inasmuch as it was not in any way a Government measure. Next session a Bill would probably be brought in for dealing with this library, and other libraries in the same position in other parts of the country. He was reminded that under an Act passed this session the library would be handed over to the Board of Education; but it would soon become Colonial Government property, and he thought the best arrangement that could be made would be to carry out the understanding he had come to with the honorable member for Onehunga. As to the Museum, he thought all these works of art, specimens, &c., would belong, not to the Institute, but to the colony when the province was abolished. Of course, in handing over the proposed grant, the object sought would be to make the museum as available as possible, and especially to carry out the suggestion of the honorable member for Avon, that the Museum should be open on Sundays, which seemed to be considered a very important matter.

Sir G. GREY thought the library should be a public one; and he would be perfectly satisfied if it were made so.

Mr. SWANSON said every member of the Provincial Council had the right to give an order to any one to use the library, and that was extensively availed of. He thought matters might stand as they were until next session, so long as the Government did not let the library go out of their possession.

Item, Museums, £2,000, agreed to.

Item, Miscellaneous, £3,000, agreed to.

UNAUTHORIZED EXPENDITURE.

Services not provided for, £32,362 7s. 10d.

Mr. SWANSON asked for an explanation regarding the item "Proportion of special allowance to Sir Julius Vogel, to cover expenses of mission to England, £1,500."

Major ATKINSON said the honorable member would see by the report of the Committee that a special allowance was authorized by the Government to Sir Julius Vogel when he went Home. The statement showed how the money was distributed among the various services.

Item, Services not provided for, £32,362 7s. 10d., agreed to.

"DEFENCE AND OTHER PURPOSES LOAN ACT, 1870."

For services not provided for, 18s. 11d., agreed to.

LAND FUND.

For services not provided for, £3,155 9s. 2d., agreed to.

IMMIGRATION AND PUBLIC WORKS APPROPRIATION.

Class I.—Immigration, £136,266 19s. 2d.

Mr. MONTGOMERY asked how many immigrants the Treasurer expected to introduce.

Major ATKINSON.—About 5,000.

Mr. MONTGOMERY pointed out that the departmental expenses would be something more than £3 per head. He thought that, when so few immigrants were being introduced, these departments should be cut down.

Major ATKINSON said the honorable member would see there had been a very large reduction from beginning to end.

Mr. MONTGOMERY said the expense of the Immigration Department was £17,000, including the portion of the cost of the Agent-General's Office charged under that head. As it was only intended to introduce 5,000 immigrants, he thought it was an intolerable amount of sack for a halfpenny worth of bread.

Item, Immigration, £136,266 19s. 2d., agreed to.

Advances for Immigration Purposes, £69,410 8s. 4d.

Major ATKINSON said this amount consisted of balances of votes that had been appropriated for particular works in past years. They were all re-votes. The Government had encouraged the provinces to spread this expenditure over as long a time as possible.

Item, Advances for Immigration Purposes, £69,410 8s. 4d., agreed to.

CLASS II.—PUBLIC WORKS.

Departmental, £14,948 6s. 8d.

Mr. RICHARDSON desired to explain to the Committee the only alterations that had been made since he delivered his Public Works Statement to the House some months ago. One was that the terminus of the trunk line of the North Island had been placed about two miles and a half further than was proposed at that time, which would involve an outlay of about £25,000. The second was with reference to the Waimea Water-race. The Kumara rush had assumed very large proportions, and the only supply of water obtainable for those diggings was commanded entirely by the Waimea Water-race. If the Government had seen any likelihood of the country in which Kumara was situated being able to raise sufficient money to take the race to these diggings, they would not have proposed to the House that the work should be completed by the Government, but would rather have left it to the country. It appeared to the Government that, if they did not take action in the matter, very serious injury would be done to the district. Either the water supply required for the Waimea Race would have to be abandoned, and allowed to be taken by smaller races made by private companies, or else the Government must take the step they proposed. He might say, in connection with this matter, that the Government had for a long time recognized that it would have been better if they had not meddled with the construction of water-races at all. In this case, the colony expended £100,000 on the Waimea Race, and it would take £30,000 more to complete the race itself, in addition to a further sum of £10,000 which would be required to take it to the Kumara. It was now beyond doubt that the race would supply a very large extent of auriferous country, and would provide work for a considerable number of years. The land for the branch line into Wanganui would also be bought this year, and plans prepared for the works. That was the only difference from the statement he made to the House a few months ago.

Item, £14,948 6s. 8d., agreed to.

Inspector of Stores' Department, £1,150, agreed to.

Agent-General's Department, London, £1,719 8s. 4d.

Mr. MURRAY said this was generally considered to be a very expensive department, and very properly so, when they considered that the cost of the Victorian Agency was only £3,000. He trusted the Government would endeavour to make reductions.

Mr. RICHARDSON said that instructions had been given to reduce the expense of the department as much as possible: although he did not see how there would be much reduction made in the Public Works branch of the expenditure.

Item, £1,719 8s. 4d., agreed to.

CLASS III.—RAILWAYS.

Kawakawa, £20,000, agreed to.

Kaipara-Puniu, £190,000.

Mr. MURRAY asked why the salary of the District Engineer at Auckland had been increased. The railways were not returning such a yield as

had been expected from them, and this he thought was hardly a time for increasing salaries. Besides, this gentleman, he believed, was not a skilled engineer.

Mr. RICHARDSON said the District Engineer at Hokitika was paid £700 a year, and it was only fair to place this gentleman on a similar footing. His duties were difficult and responsible; and for such positions he believed in paying good salaries to the best men that were to be got.

Item, £190,000, agreed to.

Napier-Manawatu, £57,000, agreed to.

Wellington-Masterton, £137,000.

Mr. RICHARDSON took the opportunity to contradict a statement that appeared in an evening paper with reference to the engines ordered for this line: not that it affected the Government at all, but it might affect the reputation of the Government Engineers. It had been stated that the engines were too large for the tunnels in the Rimutaka. The plans and sections of the tunnels were sent Home, and proper-sized engines were sent out. They would go through the tunnel without any difficulty, and there would therefore be no necessity to increase its size in order to admit the engines; but the Engineer-in-Chief thought it would be prudent to enlarge those tunnels which were not completed, if the cost was not large, and steps were taken to have this work done. He mentioned the matter because it might at some future time be brought up as one of the mares'-nests which the honorable member for Bruce usually brought before the House.

Item, £137,000, agreed to.

Waitara-Patea, £57,000, agreed to.

Patea - Manawatu (with Foxton branch), £114,000, agreed to.

Nelson-Foxhill, £15,700, agreed to.

Pictou-Blenheim, £20,500, agreed to.

Brunner-Greymouth, £34,000, agreed to.

Westport-Ngakawau, £79,000, agreed to.

Amberley - Waitaki (with branch line), £27,700, agreed to.

Waitaki Bridge Construction, £1,300, agreed to.

Waitaki - Invercargill (including Lawrence branch), £324,000, agreed to.

Winton-Kingston, £53,000, agreed to.

Survey of New Lines, £10,000, agreed to.

Land on authorized lines of railway, and additional rolling stock and station accommodation, £100,000, agreed to.

CLASS IV.—ROADS.

North Island, £29,963 1s. 3d., agreed to.

Nelson South-West Gold Fields, £10,371 16s. 2d., agreed to.

Westland, £10,294 3s. 10d., agreed to.

Hokitika-Christchurch, £1,478 9s. 2d., agreed to.

CLASS V.—LAND PURCHASES, NORTH ISLAND.

General Expenses, £640.

Mr. SHEEHAN said if it were not so near the close of the session he would discuss this item at some length; but he would content himself now with saying that the greater portion of the money voted for the purchase of Native land in the

North Island had been wasted in the most extravagant manner. If the Native Minister were present, he (Mr. Sheehan) would even now go into the matter in detail, and would prove that the land bought had been, to a large extent, worthless for settlement, and had been purchased at prices far higher than ought to have been given for it. It was a positive fact that for the expenditure of some £300,000 or £400,000 a commission of £86,000 had been paid. There was a statement made the other day by Judge Rogan to the effect that the return furnished by the Native Minister of the lands purchased in the Poverty Bay district was absolutely incorrect, and that blocks were put down as purchased which had never been purchased. He did not like to use the language in which the conduct of this department should be characterized, but would simply say that the whole department should be swept away. He was also deterred from making any lengthened remarks upon the subject by the fact that he understood from the Government that they were not disposed to continue the present system of land purchases—that this year they would practically cease, and that the money now being voted was to complete unfinished transactions. That was a statement which would give unqualified satisfaction to the country. It would be a wrong principle to go back to the pre-emptive right of the Crown to the Native lands, and the true system was to give free emption to the Natives themselves. Then and not till then would the North Island really progress. Looking at the money which had been spent and the results obtained, there was no doubt that it had been wasted. He had endeavoured, in the early part of the session, to get a Commission appointed to inquire into the matter, which Commission should have power to obtain all vouchers and accounts; but he was unfortunately prevented, on one occasion, by ill-health, from bringing forward his resolution, and on another by the absence of the Native Minister. He therefore took the opportunity now of entering his protest against the present system, and next year he would move for a Committee of Inquiry; when he would be able to prove conclusively that the money had been wasted in a most extravagant manner, and that four or five times as much had been spent as was necessary.

Sir G. GREY said the statements of the honorable member for Rodney were all perfectly true, and yet how little attention was being paid to them by the Committee. This was the chance the people had of getting redress for grievances! The money voted for the purchase of Native lands in the North Island had been grossly misspent, and in many cases tracts of land had been bought which had instantly been leased for ninety-nine years under some nominal transactions previously existing. There was no hope for the people of New Zealand as long as the Government managed matters in this way.

Item, £640, agreed to.

Auckland, £72,172 17s. 1d., agreed to.

Taranaki, £19,565 3s. 10d., agreed to.

Wellington, £28,091 4s. 6d., agreed to.

Hawke's Bay, £5,248 9s. 1d., agreed to.

CLASS VI.—WATERWORKS ON GOLD FIELDS.

Water-races, £137,886 6s. 11d.

Mr. MURRAY thought the Committee was not justified in agreeing to this vote. He noticed that there was a sum of £51,881 13s. 3d. put down for the Waimea Water-race, and extension to Kumara. He would like to know what would be the total cost of this work. It was originally estimated to cost £70,000.

Mr. RICHARDSON was understood to say that £11,000 of this money had already been voted, but was not expended. It had not been intended to construct the head works of this race, this year; but as the race would supply the new Kumara diggings with water, it was now proposed to carry out that work. Designs for head works had been prepared, and it was estimated that they would cost about £30,000; while the cost of extension to Kumara would probably be from £8,000 to £11,000. The total cost of the work would be about £150,000; but it would be a totally different work from that which was originally intended, as it would cover a much larger extent of country.

Mr. MURRAY recollected that, when it was originally proposed to carry out this work, it was intended that advances should be made, and companies assisted to carry on the work, on giving guarantee that the money was properly expended. It was stated by the late member for Buller, Mr. O'Connor, that the money expended upon these water-races had been entirely wasted. He also noticed a sum of £16,000 put down for the Mikonui Water-race, and believed that work would cost far more than was ever estimated. It was much more desirable to expend this money in completing the railways and other large undertakings than in commencing new works like these, which were of a very doubtful character, and which he believed would only entail loss upon the colony.

Mr. RICHARDSON said the Government had over and over again objected to this work; but it had been forced upon them by very large majorities of the House, and they were bound to carry it out.

Mr. MONTGOMERY said this was a matter entirely between the Minister for Public Works and those representing the locality. The House absolutely knew nothing of the matter, and ought not to be held responsible.

Mr. BAREFF was not surprised at the honorable member for Bruce objecting to this vote, but there were certain gentlemen who, the less they understood a subject, had the more to say about it, and this was a case in point. There had been a very large expenditure on the Waimea Water-race; and without a larger expenditure of money, the money already spent would to a great extent be thrown away. The head works—the most expensive works—were not constructed; and until they were completed, a supply of water would not be available. A supply of water would be the making of the Kumara district, as there was only one mining party that had a supply of water. There was a population there of 6,000, and the ground would carry a population of 10,000 for a great many years to

come. After a supply of water was obtained, there would be a continuous yield of gold obtained, which would largely benefit the district and the colony generally.

Item, £197,386 6s. 11d., agreed to.

Aiding Works on Thames Gold Field, £10,092, agreed to.

CLASS VII.

Prospecting and Developing of Coal Mines, £1,860 16s. 8d., agreed to.

CLASS VIII.

Telegraph Extension, £46,040.

Mr. REYNOLDS objected to the item "New Plymouth Line (completion of), £5,640." A sum of £1,500 had been voted last year. It was a costly line to construct, and no more money should be expended upon it until the Native differences were arranged. He had a stronger objection to the item "Extension of Line to Whangaroa and Mongonui." The expenditure on this line was over £3,000 a year, and the revenue was only £2850. It was not advisable to extend the line further at present, or until it could be shown that it was likely to pay. The expenditure on the construction of telegraph lines in the North Island far exceeded that in the South Island, notwithstanding that in the North Island the loss was very considerable, while in the Middle Island there was a profit realized. Such a state of things could not possibly give satisfaction. The honorable member for Clutha had asked for a sum of money to be expended on the telegraph line to connect Catlin's River with Dunedin, and the answer received was that there were no funds. If that was the case, was it just or honest that funds should be found to extend a line which was not likely to pay? He trusted the Committee would support him in throwing out this item of £4,000.

Mr. T. KELLY was surprised at the opposition of the honorable member for Port Chalmers to this vote. The honorable member, who had visited the district when a Minister, was the last person who should complain of the action of the Government. When the line was completed, it would be a paying line.

Mr. WHITAKER said the proposed extension to the Whangaroa and Mongonui would benefit a country where there were 7,000 or 8,000 Maoris and a considerable European population. The line was now made as far as Russell, and the revenue was £333 a year, with a cost of £158. This result would compare with some of the lines in the Middle Island which were favourites of the honorable member for Port Chalmers. The line probably would not now give a margin of profit, and the extension would no doubt not pay, at all events at first; but it should be remembered that these portions of the North Island had all their revenue from land and everything else mortgaged for making railways throughout the rest of the colony, and there was no chance of their getting a railway made in that part of the country. It was now sought, therefore, to give that district communication with the rest of the colony by telegraph, and the honorable member opposed it, as he had everything for the North Island.

Mr. REYNOLDS desired to point out that if they took interest on the cost of construction, and working expenses, there would be a loss of over £2,000 a year on the line to Russell.

Mr. SHEEHAN would remind the honorable member for Port Chalmers that the system he now complained of had grown up under his own control. The honorable gentleman should not compare the South Island with the North in this matter, for many of the North Island stations were kept open for defence purposes.

Mr. REES said the extreme North ought to be brought into communication by telegraph with the rest of the colony. The money proposed to be voted would be well spent; and although it might not in the first instance pay the whole of the expenses, the revenue would go on increasing. He hoped the honorable member for Port Chalmers would not press his opposition to the vote.

Mr. WHITAKER explained that he had already been compelled to refuse a similar application from Wairoa, a district three times the importance of Catlin's River. As to the Whangaroa-Mongonui vote, it was not placed on the estimates by him. Reference to *Hansard* would show that it was placed there by Sir Julius Vogel, who was induced to do it, amongst others, for political reasons, the Natives being numerous in that district.

Item, £46,040, agreed to.

CLASS IX.—PUBLIC BUILDINGS.

Judicial, £9,465 2s. 8d., agreed to.

Postal and Telegraph, £21,983 10d., agreed to.

Customs, £1,230, agreed to.

Offices for Public Departments, £31,485, agreed to.

Miscellaneous, £1,850, agreed to.

CLASS X.—LIGHTHOUSES.

Lighthouses, £49,700.

Mr. MONTGOMERY asked the Commissioner of Customs whether the apparatus for the Akaroa Lighthouse had been sent for, and when the erection of the lighthouse would be commenced? There was a sum voted by the Provincial Government of Canterbury towards the erection of this lighthouse; and he should like also to know whether the Provincial Government would now have to pay that sum.

Mr. G. McLEAN said there were six new lighthouses now in the colony, and steps toward the erection of some of them would no doubt be taken before next session. As to the Akaroa light, as soon as the Superintendent of Canterbury paid the sum referred to by the honorable member, the order would be sent Home.

Mr. MURRAY said the cost of the steamers "Hinemoa" and "Stella"—£40,000—was far in excess of the estimated cost. He would like to know how the deficiency was to be made up.

Mr. G. McLEAN said the only item included in the present vote was for a steamer to be used as a lighthouse tender, and had nothing to do with the "Hinemoa." As to the cost of the latter vessel, it would be impossible to state the exact amount until the receipts from London,

including cost of bringing the vessel out, arrived in the colony.

Mr. MURRAY said he did not know who was responsible for the error; but it was a great mistake to send the vessels out under steam. They could have been brought out under sail for half the cost. He was also informed that the sailors were to receive two months' pay on account of being discharged in the colony. Other vessels could get men to accept 1s. a month on condition of being discharged in the colony.

Item, £49,700, agreed to.

CLASS XI.—CHARGES AND EXPENSES OF RAISING LOANS.

Commission and other Charges, £6,000, agreed to.

CLASS XII.—OTAGO PROVINCIAL PUBLIC WORKS ADVANCES.

Balance of £60,000 authorized under "Otago Public Works Advances Act, 1874," for construction of Branch Railways, £18,841, agreed to.

UNAUTHORIZED EXPENDITURE OF THE YEAR 1875-76.

For Services not provided, £68,875 11s. 8d., agreed to.

Grant in aid of Taranaki Great South Road, £2,500, agreed to.

The resolutions were reported to the House.

On the motion, That they be read a second time.

Mr. ROLLESTON wished to ask an explanation from Ministers with regard to an item of £7,000, contribution from Canterbury in aid of the cost of the Timaru and Temuka Railway, which was part of the main trunk line. Under the Financial Arrangements Bill, it appeared that these contributions were to be credited to the Province of Canterbury when the railways were taken over. They were contributions from the land revenue of the province, and yet the Government put this sum down in the fourth schedule of the Immigration and Public Works Appropriation Bill as Ways and Means. He would like to know whether the honorable member at the head of the Government would give an assurance that, in taking over the railways, this contribution would be recognized by the Government in the same way as the £49,000 contribution to branch lines was under the Financial Arrangements Bill.

Major ATKINSON was prepared to give the assurance asked for.

Resolutions read a second time and agreed to.

JONES AND MCMILLAN.

Mr. SWANSON moved, That the report of the Public Petitions Committee on the petition of these persons be agreed to. They had deposited the required amount on the land which they had taken up, and were quite willing to carry out the contract under which they got the land, and all that was wanted to enable them to do so was to get a title to the land. They were very desirable settlers, and had been acting in perfectly good faith, so that their case was well worthy of the consideration of the Government.

Major ATKINSON said there was no doubt a considerable hardship in this case. The petitioners made application, under the Waste Lands Act of Taranaki, to the provincial authorities, who, being desirous of getting the country settled, under special settlement clauses, agreed to grant those gentlemen land on certain conditions; but those conditions had to be approved by the Governor in Council before they could be given effect to. When the matter came before the General Government, it was found that the terms were apparently not strictly within the law. Although the Government were desirous of giving effect to the recommendation of the Provincial Government, they were advised by the Law Officer that it would be contrary to the law to do so, and therefore they were obliged, with some regret, to refuse the application. Now that the Committee had gone into the matter, if the House made any recommendation, the Government would be glad to give effect to it.

Mr. SWANSON moved, That it be an instruction to the Government to give effect to the recommendation contained in the report of the Public Petitions Committee in this case.

Motion agreed to.

THAMES PUMPING ASSOCIATION.

The House went into a Committee of the whole for the purpose of giving leave to add a new clause to the Public Works and Immigration Bill, providing for handing over to the County of Thames the mortgage held by the colony over the works of the Thames Pumping Association.

Major ATKINSON said the object of the clause was to enable the Government to hand over to the County Council of the Thames, when constituted, the mortgage held over the Pumping Association's claim. Honorable gentlemen would remember that £60,000 was authorized to be advanced to the Pumping Association of the Thames; and the Provincial Government of Auckland became responsible for that amount, nearly the whole of which had been expended. It was necessary, in order to carry on the works, that a considerably larger sum should still be expended. The Government were not prepared to go further, but the people of the Thames considered it of very great importance that the works should be continued, as a large number of mines would be flooded if the works ceased. They thought that at a reasonable cost they could apply water power to the machinery instead of steam, which would effect a large saving. The Government, looking at this matter rather as a white elephant as far as the colony was concerned, thought it would be far better to get rid of it at once by handing it over to the Thames County. It was a subject of great local importance, and he understood from the honorable member for the Thames (Mr. Rowe) that the money could be raised to make it a profitable concern. The transfer would relieve the province of all charge in respect of the advance. He did not propose to burden the county with payment of the interest; for if a work of such great importance could be carried on successfully without

further cost to the colony, they might be very well satisfied.

Resolution agreed to.

J. LONDON.

Mr. SWANSON asked the Premier, If the Government would give effect to the recommendation of the Public Petitions Committee in the case of John London?

Major ATKINSON said he knew nothing of the case, excepting what he had learned from documents the honorable member for Newton had just brought under his notice. He would look into the matter; and if he found that the further investigation proposed by the Committee was necessary, he would cause it to be made.

NATIVE SCHOOLS BILL.

Mr. WHITAKER, at the request of the promoter of this Bill, moved that it be discharged.

Mr. ROLLESTON asked the Government to consider the desirability, during the recess, of re-introducing "The Native Schools Act, 1867," with provisions respecting the providing of funds for the maintenance of schools. He was quite satisfied that no method could be worse than voting funds for a number of Native and European schools and salaries of teachers in the way they had done in the past. What was wanted was an Act to make permanent provision for education, in accordance with certain regulations that would insure certain results being obtained for the expenditure of the public money. He did not want to go into any discussion of the subject at present. He would ask the Government to consider the advisableness of bringing down a permanent measure which would place the public funds for school purposes, under certain conditions, beyond the temporary control of circumstances—a measure which could declare that, if certain results were obtained, money would be forthcoming from the public chest. That was the best footing upon which he thought education could be put.

Mr. REYNOLDS said that what the honorable gentleman really meant was the placing of the power of voting this money beyond the control of Parliament. The House had always set its face against that. It appeared that the honorable gentleman was exceedingly persistent in bringing this matter forward. He trusted the Government would not accede to the request of the honorable gentleman, and part with the privilege of voting funds year by year. There never had been any difficulty experienced in getting funds voted for the support of Native schools.

Mr. ROLLESTON said the honorable member did not see that he (Mr. Rolleston) wished most distinctly to put it in the power of Parliament, and take it out of the power of individuals, to alter the terms on which money should be given. The popular will should be expressed most decidedly through the supreme Legislature. The honorable gentleman showed singular obtuseness generally on matters of this kind, and did so once more on this occasion.

Mr. REYNOLDS said that what the honorable gentleman wished was that certain sums should be voted by Act, and that was taking the matter out of the hands of the Assembly.

Bill discharged.

APPROPRIATION BILL.

This Bill was read a first time.

Major ATKINSON, in moving that the Bill be read a second time, said that the only special clauses to which he need call attention were those at the end, which provided for issuing Treasury bills to meet deficiencies in certain provinces in which the revenue would not come up to the proposed expenditure. He did not think the full amount would be required, but it was necessary to put it down, because he was uncertain what engagements might have been entered into by the provinces. With regard to the Wellington Hospital, it would be in the recollection of honorable members that the House refused to permit the reserves held by the Hospital to be sold, and he understood that a contract had been let for the building. It would be necessary to take the power, in case it should be found that there was an actual liability.

Bill read a second time, considered in Committee, reported without amendment, and read a third time.

The House adjourned at midnight.

LEGISLATIVE COUNCIL.

Monday, 30th October, 1876.

Third Readings—Sartoris, Downe, and Others' Claims Bill—Public Revenues Bill—Immigration and Public Works Appropriation Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

THIRD READINGS.

The Milton Athenaeum Bill, the Douglas Crown Grants Bill, the Auckland Beach Road Grants Bill, the Otago and Wellington Tolls Bill, the Waste Lands Administration Bill.

SARTORIS, DOWNE, AND OTHERS' CLAIMS BILL.

On the motion, That this Bill be read a third time,

The Hon. Mr. MANTELL wished to call the attention of the Government to a very painful rumour afloat out of doors, to the effect that some member of the Legislature received fees for the passing of this Bill. He mentioned the matter as one well worthy of inquiry on the part of those interested in the purity of Parliament.

The Hon. Captain FRASER said it had been suggested out of doors that the sum the member was to receive should be inserted in the preamble of the Bill.

Bill read a third time.

PUBLIC REVENUES BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it proposed first, to give power to increase the limits of the unauthorized expenditure up to the sum of £100,000. It also made provision somewhat different from that which had existed under former Acts, inasmuch as it required that the expenditure should have the sanction of two Ministers, one being the Hon. the Colonial Treasurer, and the other the Minister at whose instance the unauthorized expenditure was required to be made. That being done, the Commissioners of Audit, upon a requisition made in the usual way, could issue the sums required to an amount not exceeding in all £100,000. The 3rd clause proposed to give authority for the issue of deficiency bills to the extent of £300,000. The necessity for making this provision, which was an unusual one, arose from the fact that, early in the next year—in the month of February—a very large payment would require to be made for interest and sinking fund in England; that payment was a charge upon the revenue of the whole year. At that date, the Consolidated Revenue would not have accrued in sufficient amount to enable this payment to be made. Authority was therefore given to borrow in anticipation of revenue a sum of £300,000 if necessary. If the Public Works Account was sufficiently in funds at that time to spare the sum necessary to make up the deficiency, it would be taken from that account, instead of being obtained from the Bank, or from any external source. The 5th clause of the Bill proposed to extend the limits of imposts to a sum not exceeding £100,000, instead of a sum of £75,000. This was rendered necessary on account of the possible increase of expenditure for the carrying on of the operations of the provincial establishments. The provisions of the Bill would be in force only for one year—until the end of the next session of the General Assembly. He begged to move the second reading of the Bill.

The Hon. Mr. WATERHOUSE would not oppose the second reading of this Bill. He had no doubt the measure was called for. It was an admission on the part of the Government that they seemed to realize that their Ways and their Means were not likely to be so favourable as in the past, or so favourable as the Financial Statement itself might lead the Council to anticipate. It was quite clear that the Government saw in the distance the small cloud "the size of a man's hand" rising—that they perceived they were about to enter upon a more stormy financial period than they had experienced lately. It was quite right that, under the circumstances, the Government should fortify themselves in the manner provided for in this Bill. It was desirable that the public at large should recognize that the Government did appreciate the stormy times on which they were entering, and into which the financial policy which had been so successful hitherto was about to launch them.

Bill read a second time, considered in Committee, reported to the Council, and read a third time.

IMMIGRATION AND PUBLIC WORKS APPROPRIATION BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it was similar in form and principle to that which was introduced to the Council in the last session of the Assembly. It showed on the face of it an abstract of the state of the Public Works Loan and Public Works expenditure, and of the appropriations proposed to be made. Provision was made for taking over the wharves at Greymouth. It was imperatively necessary that the control of the harbour there, and of the works necessary to maintain it, should be in the hands of the General Government.

The Hon. Mr. WATERHOUSE said it was not, of course, desirable to throw out the Bill, and yet it was not competent for the Council to make any alterations in it. He did not intend to propose any motion adverse to the Bill; but he could not let it pass without commenting on one important feature in the measure itself. He saw, with regret, that it contained a vote of nearly £100,000 for the introduction of immigrants during the present financial year. He quite recognized that, it might be desirable to introduce female immigrants, with a view to equalize the sexes; but it did appear to be cruel, in the present state of the labour market, to spend any more of the funds of the colony upon the introduction of male immigrants. No one could be long in the country districts without seeing that they were being over-run by men in search of employment. When honorable members returned to their homes, they would see, as he had an opportunity of seeing lately, that this was the case to a most painful extent. Although, he believed, there were more public works being carried on in Wellington Province than in any other part of the colony, yet the number of men seeking employment was almost heart-breaking. The stations were beset by men almost every night asking not only for accommodation, but for meals. He saw in one of the Wairarapa papers a statement that men, apparently well adapted for useful employment as farm servants, found it literally impossible to obtain work on any terms. Whatever amount of money might be spent this year in the introduction of male immigrants into the colony would not only increase the hardships the labouring class at the present time were suffering from, but would have the effect of causing a large number of people to go from this to other shores where labour was more in request. Now that the scheme of public works was approaching its close, he could not but express his deep regret that in the meantime the Government had done so very little for the efficient settlement of the country. The Legislature had had their attention called to other schemes, and had neglected the great and important duty which devolved upon them, in consequence of the introduction of the Public Works policy, of settling the country. They had had South Sea Bubbles; they had had State Forest delusions; they had overthrown the political institutions of the colony, and had merely a rough-and-ready and untried scheme to take their place. So much was the attention of the Government and the attention of the country

given to those matters, that they had not had time to devote to more important and practical measures for settling the immigrants upon the lands of the country. At an early period of the session he took occasion to refer to the fact that the settlement of the country had not progressed in proportion to the increase of the population. At that time the annual statistics prepared by the Registrar-General had not been laid upon the table of the House; but he (Mr. Waterhouse) took great care in the preparation of the statistics he then submitted. It would be remembered that he indicated that the settlement of the country had not progressed with the increase of population. Some few days afterwards, reference was made in the other branch of Legislature to the figures he had brought forward, and other figures were adduced leading to a totally different conclusion. He heard those figures quoted with a great amount of astonishment, and he thought it possible that he might be mistaken in the figures he had brought forward. Since then, the statistics prepared by the Registrar-General, the official statistics, had been laid on the table, and from those he found that his own statistics were perfectly correct, and that the other statistics which had been brought forward simply had the effect of deluding the public at large. In referring to that subject, he then called attention to the fact that, while the population had increased something like 50 per cent., land under grain crop, which was the real test of agricultural advancement, had only increased 32 per cent. The other figures taken included land under all kinds of crops; and, because that had increased, it was endeavoured to show that the settlement of the country had progressed at a greater rate; but those figures, it would be seen, were only increased in that manner by the addition of any ordinary farmer's crops—hay crops, and paddocks in which cattle were not allowed to graze, having been arbitrarily placed under that heading. Those other figures were not confined to land under grain crops, which, as he had stated, was the real test of the agricultural progress of a country. At the same time it was stated that, while there had been a proportionate advance in the progress of agriculture in the colony, there had been an extremely large advance in the pastoral interest. It was said that during the last five years the pastoral interest had progressed in the most astonishing manner, and it was shown that the exports of wool were 100 per cent. in advance of what they were five years ago. When he heard that statement, he received it with very great astonishment. He had since referred to the Financial Statement, in which it was distinctly stated that the quantity of wool, by pounds weight, had increased not 100 per cent., but 50 per cent. only. It was true the value of wool was stated to have increased something like 100 per cent. Wool undoubtedly, this year, was valued at 100 per cent. higher than the exports of five years ago; but he would call the attention of honorable members to this fact, that the wool of this year had increased to that extent, and the exports had been nominally swollen up to a large extent, simply by the fact

that, while the wool of 1870 was valued at 11d. per pound, the wool of this year all round, locks, fleeces, and everything—honorable gentlemen could now judge of the grave inaccuracy of the figures—was actually valued at 14½d. all round. But honorable members knew that, as a matter of fact, the wool of this year would not average 9d. If they put the wool of this year at the same value per pound as the wool in 1870, it would be found that, instead of the great increase referred to in the other branch of the Legislature, the exports were now practically just about the same as they were five or six years ago. There was another point to which he would refer. It had been stated that some doubt might be thrown upon the conclusion to be derived from the fact he had referred to as regarded the increase of land under agriculture. He had shown that the land under grain had increased 32 per cent. only, while the population had increased 59 per cent. during the last five years; and it was fortunate that they were able to show by statistics to what extent the land had, during the prosecution of the Public Works policy, been settled upon. The statistics showed that while in 1870 there were 13,476 holdings—in other words 13,476 persons held property for agricultural purposes—the number at the commencement of this year had only increased to 17,250. So that it would appear that while the number of persons engaged in agriculture, real settlers, the *bona fide* occupiers of the land for agricultural purposes, had increased not quite 30 per cent., yet the population had increased 50 per cent. That showed what he stated from the first, and what was sought to be denied authoritatively elsewhere, that the settlement of the country had not advanced progressively with the increase of the population. Parliament and the Government had had their attention so much directed to those other grand and attractive schemes, that more important and more practical measures for the settlement of the country had been comparatively neglected. He would not occupy the time of the Council longer, but he thought it right to draw attention to the matter; and he would express the hope that as there had been a change of Ministry they might see more practical counsels influencing the Government, and that during the coming recess every endeavour on the part of the Government would be made to facilitate and extend the settlement of the country. He had drawn attention to the matter likewise with the hope that the Government would during the coming year check the introduction of immigrants to a country where labour was already overdone. If immigrants were introduced at all, it should only be with the view of equalizing the sexes.

The Hon. Captain FRASER had but a few words to say. He would express grave dissatisfaction with the vote of £100,000 for the introduction of immigrants, and he thought it would be shared in by every member of the Council. A great controlling power had spread over Parliament—the New Zealand Shipping Company. But for that, the vote for the introduction of immigrants would not have appeared in the Bill.

The Hon. Mr. BONAR did not suppose it was intended to have any long discussion upon this matter; but as certain points had been raised, persons who had had experience differing from that of the Hon. Mr. Waterhouse ought to mention it. The honorable gentleman seemed to have met large numbers of unemployed persons going about the country; but he could only say that in Westland such had not been his experience. Up to the present time, the difficulty had been to obtain labour at anything like a rate that would enable people to carry out works they desired to undertake. Important and useful works of progress had not been undertaken, which would have been carried out had there been an abundant supply of labour. Perhaps that might have arisen owing to the peculiar position Westland occupied, being to a great extent closed up with respect to the rest of the colony. He would not offer any opinion as to what was going on in other places; but it was only a few days ago that they heard great complaints from an honorable member, who stated that higher wages had to be paid in consequence of the public works going on. He had also heard complaints of the numbers of persons wandering about the country; and the Hon. Mr. Waterhouse told them of a gentleman who gave employment to one of those persons, and asked the man to work in the garden when his time was not otherwise occupied. The man said he was engaged for a particular purpose, and was not going to do work of that kind. Of course he was dismissed. That was the case with a number of others who expected good wages for very little work. He feared that, in the large immigration that had taken place to this colony, a certain proportion of this class of persons had been introduced; but he had not in his own experience met with many persons who failed to meet with profitable employment if they wished to avail themselves of it. Another matter which struck him when the honorable member was speaking was with reference to the statistics of land taken up, as showing the progress that might have been expected from the large population that had been introduced. He did not think a sufficient time had elapsed to show the effect of immigration in that particular form. The extent of the new works that had been going on had to a large extent prevented the settlement of the people on the land. It must have been apparent to all of them that although the Government works had given employment to a large number of people, great quantities of land had been bought by small holders, and that the wealth of the colony had been largely added to by the high price of wool. This had tended to so much prosperity that employment had been easy to obtain, and the people generally had not turned their attention to buying land. During the next few years there would not be so many works going on, and then, no doubt, they would attain the results which the honorable gentleman looked for. He had very little doubt that if the system of deferred payments were carried out throughout the colony, it would give facilities for settlement which had not existed up to the present

time. He felt great confidence in the future of the colony, and in the result of the expenditure that had taken place. Very large results had already accrued, but they had not yet experienced the full benefit of the Public Works scheme; and while he would be sorry to say that all the money spent had been expended in the most economical and most beneficial manner, still it was almost impossible, in the expenditure of large sums of money in so short a time, to avoid some foolish expenditure. Had the expenditure been slower, had it been limited to £1,000,000 a year, its results would have been much more satisfactory. The colony must, however, derive considerable benefit from the works in progress; but he trusted that in future they would be carried on with more prudence and more attention to detail than they had been during those times when there was a clamour and a rush for works to be carried out at the same time. It was a great mistake that they did not, in the first instance, calculate the cost of the works, ascertain the cheapest and most economical means of carrying them on, and then decide whether they should be executed or not. It must be a matter of gratification to find that new industries were springing up in different parts of the colony, and particularly on the West Coast, where there was a practically unlimited field for large numbers of people. The recent rush to the Kumara showed that the country was unknown and untried, as far as its minerals were concerned, and also indicated that over the whole coast rich gold deposits existed; but the difficulty of discovering them had hitherto been owing to the fact that they were concealed by dense forests. The Kumara rush, capable of maintaining 4,000 people, was absolutely within a mile of the main road. This rush, and others which would undoubtedly yet be discovered, would provide a market for the produce of the colony. While upon the subject of industries, it was worthy of notice that the recent discoveries of silver ores were turning out very favourably—much more favourably, indeed, than could have been expected from the analyses which had been obtained here. The last results were particularly hopeful, and served to assist the belief that this was but the commencement of another new field of industry. Valuable quarries were also being discovered, which he hoped would before long afford employment for a large population. He was sorry to detain the Council by making these remarks, but he thought they were appropriate to the occasion.

The Hon. Mr. ROBINSON said he was surprised at the tone of the Hon. Mr. Waterhouse's remarks. It seemed to him that the Council was about to commence the system of discussion that had been carried on in the other branch of the Legislature, by setting up obstruction at the close of the session. Objection was made to everything. They had a Government in which they all had the utmost confidence, and it was not wise to speak in the tone adopted by the honorable gentleman. The Hon. Mr. Bonar had given some reasons why the Public Works policy had not been carried out in a manner such as would secure the greatest success. To his mind, the greatest mistake was not to insist upon having

the expenditure fixed for the particular purposes to which it was to be applied, and to state that plainly in the borrowing Bills. He altogether differed from his honorable friend in regard to statistics. The honorable gentleman told the Council that the increase in land under grain crop was 32 per cent., while the increase in population was 52 per cent. Then he went on to say that the numbers of holdings in 1870 was 13,476, as against 17,250 in 1876. He would ask the honorable gentleman whether he expected the large number of people who came to the colony to become landholders at once. For instance, if they introduced 5,000 people, were there to be at once 5,000 additional landholders? Not at all. The great mistake made was in landing the immigrants in parts of the country not best adapted for their reception. There had, for instance, been a great many more people landed at Wellington than there ought to have been. If his honorable friend would go south, he would find that nearly the whole of the land taken up had been taken up by small holders. To prove the accuracy of his statement, he need only refer to the returns of sales of land in the South Island, where he would find that nine-tenths of the land sold had been taken up by small farmers and not by large landed proprietors. Then as to the labour question. It was only a few days ago he saw an announcement in a paper to the effect that some people in Otago proposed to send to Australia for labour. He (Mr. Robinson) knew that was a delicate subject to touch upon. His honorable friend had spoken against the introduction of labour, and he would no doubt have a great many people with him. He would have at his back all that class who were opposed to the introduction of labour: in fact, the whole tendency of the honorable gentleman's speech was to set class against class. They heard on every hand that the squatters were trying to keep down the price of labour. As far as he was concerned, he would be delighted to hear of the rate of wages being 50 per cent. higher, although it was as high at the present moment as it ever had been in this country. But he would not object to see it higher, because that would at once be a proof that there was plenty of profitable employment in the country. It was a ticklish subject his honorable friend had introduced; but he did not see that labourers were at all underpaid, when ploughmen were able to get £65 to £70 a year and all their living found them. He was very glad to get them when he could, and had found great difficulty in doing so on many occasions. The country could never be expected to be great until there were quite as many people in it as employment could be found for. The Public Works policy, although not a failure, was not as great a success as might have been expected from the way in which it had been initiated. It was not so great a success as it would have been if the Legislature had known at the commencement what it now knew. If they had then had the experience which had since been gained, rules might have been laid down for the guidance of those carrying out the policy which would have led to better results. Having

now gained experience, and finding that there was a tightness in money matters, no doubt things would go on better in future. He maintained that his honorable friend had no right to introduce the question of the price of wool as showing whether the colony had progressed or not. All honorable members knew that the price of wool was very fluctuating. He had had many years' experience himself, and that experience showed that the price of wool might go up for seven or eight years, and then fall again; but he had never yet seen the price reach its previous minimum, although he had often seen it go beyond its previous maximum. He had no doubt the same would be found in the future. If the increase in the returns of wool exported did not arise from this country, he would like to know where it came from. There had been no increase in the Australian colonies, and therefore it must have arisen in New Zealand. The honorable gentleman spoke about the surplus labour in his district; but if he could not employ that labour, he (Mr. Robinson) could tell him that they would be very glad to get it in other parts of the country. He was not prepared for this discussion, but he was bound to say something in reply to the honorable member's observations, because statements might go forth which, if uncontradicted, might give rise to very unpleasant feelings. He felt very doubtful as to the success of the deferred-payment system; because he felt that if men were placed upon land and had not the means to cultivate it, they must fail. He believed the right way to work such a system would be for the persons taking up land to pay for it; and then, as they went on improving it, the Government should lend them sums of money not exceeding the price originally paid for the land. He could see no good likely to result from putting on the land men who had no money to improve it.

The Hon. Mr. GRAY had not intended to speak upon this subject; but, after the remarks of the Hon. Mr. Waterhouse, he felt that most honorable members ought to express their views. He quite agreed with the honorable gentleman that it would not be desirable to introduce more labour this year, in the ordinary sense of labour, and that female immigration ought to be the only immigration carried on, for the present at all events. He did not agree with the statement that there was a scarcity of employment. It was not long since he had been in the part of the country from which he came, and he saw no dearth of labour there then. He thought it would be an unfortunate state of things if there was not some labour seeking employment. He also took exception altogether to making the increase or otherwise of the grain crops a test of the progress of the country. The probability was that the fact of these crops not having increased was owing to their cultivation not having been found the most profitable. He knew as a fact that in his part of the country a very large number of small proprietors had given up the attempt to grow grain, and had taken to growing green crops and breeding stock. Nothing was more destructive to the soil than grain crops, but the growth of green crops acted as a restorative.

Then the honorable gentleman spoke of the increase of holdings not keeping pace with the increase of population; but surely the honorable gentleman could not expect, with a number of young married people coming into the colony, with a number of young children growing up, that these could all be put on the land at once. He thought it necessary to say so much, because some difficulty might arise if such statements, when made in the Council, went forth without being commented on.

* The Hon. Dr. POLLEN said his honorable friend Mr. Waterhouse always felt it his duty, on occasions like the present, to hold up a warning finger, and tell us of danger in the future; and it was quite right the Council should listen to those warnings, even if honorable members should be of opinion—as most honorable members who had spoken were—that the dangers of which the honorable gentleman spoke were not imminent, in the immediate future at any rate. The honorable gentleman appeared to object to the vote of £100,000 for immigration purposes during the present year, and adduced as an argument against it that in the district of which he was cognizant there were a large number of persons unemployed and seeking employment. That could no doubt be very well accounted for by local circumstances in the district itself, or by the habits of the men in question. The Government had been very anxiously watching the operations of the labour market for a long time, and he could assert that there was in no other part of the colony such a state of affairs as his honorable friend represented to be existing in the Wairarapa. With the means of communication which were now established throughout the colony, there was no doubt that surplus labour could easily be transferred from one place to another, and that the state of affairs which the honorable member described as existing in the Wairarapa could only be of a temporary character. He thought the Government had shown in this matter of immigration that they were disposed to be very careful, and that they had been very watchful. Even within the last year a very large reduction had been made in the number of immigrants, and a considerable check had been put upon the number proposed to be sent from England. Ministers had themselves travelled through the country, and had seen with their own eyes the necessity, not of stopping immigration, but of regulating its flow, so as to give time for the absorption of the labour sent out, and to prevent anything in the shape of a catastrophe from a large number of immigrants arriving at any one time. When immigrants came out steadily and slowly, as he hoped they would in future, they would almost make employment for themselves. His honorable friend had complained also that nothing had been done, proportionately to the influx of immigrants, to settle them on the land. There was no question more difficult to deal with than that of what was called settling immigrants upon the land, taking the term in its narrowest sense. All kinds of schemes had been devised—special settlements, free grants of lands, homestead laws, and others;

but these had all been experiments, and had ended unfortunately for those who were their victims. The fact of the matter was that the Legislature was often ready to go too fast, and to expect permanent settlements to grow up in a night, forgetting that in this as in other matters that which is permanent must be of gradual growth. To his mind the way to promote settlement was to open up the country by roads and bridges, and so facilitate the spreading of population, and to make the process of acquiring land as easy as possible for those who knew how to use it, and who were prepared to use it. That was the work to which the Government had been devoting themselves ever since 1870—no doubt, at great expense to the colony; they hoped that these facilities of roads and railways, and the establishment of a system of purchase on deferred payments, would satisfy every one, and would enable those who by knowledge and the possession of means were competent to take up and utilize the land. They did not believe in offering facilities to persons who knew nothing of the cultivation of land, and who had not the means or capital to work it. He knew of no greater misfortune to the colony or to the persons themselves most concerned than to induce unfit persons to go upon land. The experience of the forty-acre system in Auckland proved it. Nothing could be more lamentable than the result of that experiment: public property had been wasted, and misfortune and sorrow had been brought upon many families who had been led into settling on the land under that system. He hoped the Government would in future watch the effect of immigration upon the labour market carefully and attentively; and if such contingencies as the Hon. Mr. Waterhouse pointed out were likely to occur, which he would not for a moment anticipate, it would be quite possible to put a check upon immigration at any time. The best proof that labour had found abundant employment in the colony up to the present time was to be found in the fact that the migration from this colony to other places had shown no sign of increase; on the contrary, returns showed that the balance of immigration from other colonies over emigration in the last two years was largely in our favour.

Bill read a second time, considered in Committee, reported to the House, and read a third time.

APPROPRIATION BILL.

* The Hon. Dr. POLLEN, in moving the second reading of this Bill, said that he thought honorable gentlemen would find nothing objectionable in the Bill, and therefore he would not weary the Council by making a speech in reference to it. He would simply move the second reading of the Bill.

The Hon. Mr. WATERHOUSE did not wish, at this advanced period of the session, to commence a financial debate; although he was not quite sure that a financial debate in that Chamber would be without benefit to the colony. They had not, during this session, had their usual financial discussion, and he thought it was

a matter of regret that the session should have passed without it taking place, because the discussion of finance by a Chamber which endeavoured, as far as possible, to raise itself above party considerations would be of advantage to the country. He was not going to enter into this subject at any length; but there were one or two points connected with finance to which he felt bound to refer; and his honorable friend having moved the second reading of the Appropriation Bill, he could not help saying that he regarded their present system of finance as being based on an exceedingly vicious principle. The principle was to throw on borrowed money and Treasury bills a portion of the expenses of the Government which ought to be borne by the current revenue. He must say that he took very great exception to one remark contained in the Financial Statement of Sir Julius Vogel as to the position of our finances. On the 30th of June, this year, Sir Julius Vogel in that statement said that our surplus for last year would amount to something like £60,000. The correct amount of surplus, as stated by the present Treasurer, was £50,052. Now the statement would go forth that the colony began this year with that surplus; but that was not the case. The existence of such a view of the subject was calculated to create impressions regarding our finance which might have an injurious effect. The true state of our finance was very different. If there was a balance of £50,000 in our favour, it only arose from two circumstances. The first was, that during the last twelve months we did not pay the whole interest due. A portion of the interest, £123,800, was, owing to a change in the mode of keeping the accounts, thrown over into this year. The second circumstance was that some of the provinces were unequal to meeting the ordinary expenses of government. A Provincial Government was as much a Government as the General Government, and the cost of it should be borne out of current revenue. But, as a matter of fact, the Provincial Governments did not bear the cost, and £172,000 had to be provided for this purpose by Treasury bills. Consequently, in the total amount requisite for carrying on the government of the country, there was a deficiency of £172,000, which was met by Treasury bills. Those bills would have to be paid, and therefore there was a sum of £303,752, which was not shown in the Financial Statement. It appeared that the actual state of things was this: If they had paid the twelve months' interest within the twelve months, and if they had paid the actual cost of governing the country, there would have been last year not a surplus of £50,000, but a deficiency of £245,747 3s. 10d. It was well that they should know their true position, which was that their revenue was unequal to meet their full expenses by £245,747. The finance of the present year was based essentially upon a rotten system. By a system of manipulation they threw a portion of the general expenses of the Government, and a portion of the interest on their debt, upon the Land Fund of the provinces. They said that the Land Fund

of the provinces could not pay the deficiencies, and they authorized the Government to meet them by means of Treasury bills. The amount represented by Treasury bills, for which the colony was responsible, was stated to be about £163,000; and the Ministry were entering upon the existing year knowing that to meet the expenses of government, and the interest on their loans, they must issue Treasury bills. This was a vicious and a rotten system of finance. It was well that the Council, the Government, and our creditors should know that the colony was not meeting its expenses out of current revenue, but that they paid the expenses of government and a portion of the interest on loans out of Treasury bills. He had referred to that, because he thought it absolutely necessary that some reference should be made to it. He recognized that of late years there had been growing up on the part of Parliament, and on the part of the country at large, more public opinion influencing the Government than had been the case for many years past. He would admit that there had been for some time past, on the part of the Government, a greater readiness to abide within the law, and loyally observe it, than was the case in years past. He would express the hope that this loyal attempt to observe the law might be carried out, in the finance of the country, to a still greater extent than was the case at present. He was prepared to admit that there had been great improvement in this respect; but, in his opinion, there was still room for improvement. If he referred to this subject now, it was because he believed the reference might not be unattended with benefit. He wished to call attention to two points to which he believed the attention of Parliament had not yet been directed, but which, he thought, ought to have been noticed. He saw upon the supplementary estimates a small item—and it might be thought that, as the item was so small, it was hardly worth while to direct the attention of the Council to it; but although the amount was small, the principle involved was great—namely, "Purchase of lease of land at Karori, £252 Os. 4d." In the year 1872, during the short time he was in office, the question of the Governor's allowances engaged his attention and the attention of his honorable friend Mr. Hall, and it was thought desirable to place this matter on a more satisfactory footing than it had been on previously. Great complaints had been made as to the increased cost of the Governor's establishment. There were Governor's residences in various parts of the colony—one at Auckland, one at Lowry Bay, one at Dunedin, and one, he believed, at Hokitika.

The Hon. Mr. BONAR.—No.

The Hon. Mr. WATERHOUSE said he might be mistaken as to Hokitika; but at any rate Governor's residences were springing up in different parts of the colony, and there was a larger amount of expenditure going on in connection with the Governor's establishment in New Zealand than was usual in other colonies. A set of regulations were drawn up, not with the view of affecting the gentleman who then held the posi-

tion of Governor, but with the view of dealing with those who might subsequently hold the office. Those regulations were similar to those which prevailed in other colonies. It was agreed that the colony should only bear the expense of maintaining certain parts of the Government House—those parts that were necessary for official purposes—and that the other expenses should be borne by the Governor himself. It had been decided that the residence at Wellington should be the only one maintained at the expense of the colony for the use of His Excellency, and that, in accordance with the wish of Parliament, the estate at Lowry Bay should be sold, and that the other Government residences should be disposed of as soon as possible. In the year 1873, an Act was introduced with the view of settling this point by statute. This Act gave effect to most of the suggestions which had been sent to His Excellency in a memorandum, and it stated distinctly in the 13th clause that—

“The following rules shall be observed with regard to Government House at Auckland, and the house at Lowry Bay:—

“(1.) No expense in respect of Government House at Auckland shall be incurred or paid by or on behalf of the colony other than the necessary expense of keeping the house and grounds in order, and the expense of taking care of the said house during the absence of the Governor therefrom.

“(2.) No expense whatever in respect of the Lowry Bay House or estate shall be incurred or paid by or on behalf of the colony, but such house and estate shall be dealt with as provided in ‘The Ministerial Residence and Lowry Bay Sale Act, 1873.’”

Concurrently an Act was introduced authorizing the sale of the Lowry Bay estate, it being clear that it was the expressed desire of the Parliament that these outside establishments should be entirely got rid of. Lowry Bay was put up to auction a few months ago and not sold. It was still being maintained at the expense of the colony for the benefit of the Governor, if His Excellency chose to avail himself of it: he did not know whether he did or not. But while it was the expressed desire of Parliament to get rid of these outside establishments, the Ministry upon their own responsibility, without going to Parliament and seeking a vote, spent a sum of £252 0s. 4d. in the purchase of a lease of land at Karori. That was a small item, but it implied more than it expressed. If the Government could purchase the lease of land upon their own responsibility, they could purchase the freehold on their own responsibility. If they once got this system of small estates set up, they would have to maintain those estates; there would be an additional annual charge in connection with them, and the desire of Parliament would thereby be entirely overridden. He did not state that this purchase of the lease of land at Karori might not be desirable in itself. Possibly it was, and that there were reasons which rendered it desirable; but the Government had no power to enter into such an arrangement. The total expense in which it might involve the colony, they could not say. The Go-

vernment had not the power, and they ought not to have done it before they obtained Parliament's sanction. The other point to which he wished to refer was another small matter. In the Act of 1873, Parliament had declared what rooms in Government House should be maintained by the country on behalf of the Governor, and a limit was placed on the public expenditure at Government House. He was astonished shortly after he came to Wellington to see a large building going up in connection with Government House. He believed it was a steam laundry. It was very desirable probably for the use of His Excellency. But with reference to that, he meant to say that that expenditure was not authorized by Parliament, and that the Government went outside of their powers, and acted very reprehensibly, in incurring that expenditure without first having obtained a direct vote from Parliament. These might be regarded as minor matters. But they were not small matters; they had reference to a matter of principle. One fact that influenced him—and he had no doubt influenced also the Hon. Mr. Hall and others who worked in this matter—was this: that it was desirable to limit the expenditure in connection with Government House, so as to leave both the Governor and the Ministry as free as possible. It was not desirable that the Governor should feel that he could get any expenditure he might desire without parliamentary sanction. It was not desirable that the Ministry should be left free to incur that expenditure, because it might have the effect of even involving the colony in an expenditure that they themselves would not sanction. It was quite evident that, if the Ministry could incur expenditure on behalf of the colony in this way at the Governor's desire, a political abuse might spring up from this system. He was not referring to anything that took place at present. He did not believe there was anything the matter now; but he was referring to what might be the case. There might be a political abuse springing up under the system. Human nature was human nature when the subject referred to was either a Governor, a Minister, or a private individual; and it was only in human nature that a person occupying the high position of Governor, if he saw the Ministry in office ready to spend money in accordance with his desire, should have a more friendly feeling towards that Ministry than towards another Ministry coming into office on retrenchment principles, and determined not to spend a penny without Parliament's sanction. The direct influence of the Governor in the politics of the colony was not very large; but there was an indirect influence, which it was desirable to guard against. The Governor, in the case of a Ministerial crisis, might exercise very great influence, and might by his tactics cause a Ministerial crisis, that would otherwise be attended by a complete change of Government, simply to be attended by a fresh distribution of the *personnel* of the Administration; and he might bring about a complete change of Government, perhaps not in accordance with the desire of Parliament. It was not desirable that the Governor himself or the Ministry should be placed in that position;

and he therefore referred to this matter now, in order that the attention of honorable members might be directed to it, and that the Government themselves might see that, if this unauthorized expenditure was indulged in, the attention of Parliament should be called to the subject. He trusted it would not be thought for a moment that he was reflecting upon His Excellency the Governor in this matter. He was desirous to stop a system which was pernicious in itself, and which, unless stopped, might be attended with evil consequences. He would not occupy the attention of the Council further; but he could not allow this important motion with regard to the second reading of the Appropriation Bill to pass without making these few observations.

The Hon. Mr. BONAR was not going to follow the Hon. Mr. Waterhouse through the questions he had raised. The remarks which fell from the honorable mover about this being the last Bill that would come before Parliament this session, called to his mind the fact that this was probably the last occasion on which a Superintendent of a province would have the privilege of addressing Parliament; and he thought it was a special feature for congratulation that, for the first time for many years, there was now included in the Appropriation Act provision for the government of the whole colony. This, he thought, was a matter for most sincere congratulation; and although the provision which had been made had necessarily been somewhat imperfect and incomplete in its character, still he hoped this was but the precursor of a consolidation of the numerous offices which had been existing in duplicate throughout the whole colony, and of a very large and material reduction in the expenditure of the country upon other departmental matters. This was a matter to the consideration of which he was sure the Government would apply themselves most closely during the recess; and before next session of Parliament he hoped they would bring down such a scheme for the consolidation of the various offices and the reduction of officers, without reducing salaries, as would lead very much to the improvement of the Civil Service of the country. He had no doubt also that, while the question of the consolidation of offices was under their consideration, they would direct their attention to a very important matter which had been pending this session, and which he thought was in an unsatisfactory condition—namely, the Civil Service. It was a subject which had been talked of and brought forward on many occasions, and he thought the present time was a most suitable opportunity for considering it. He might take that occasion to express a hope that in making these alterations, and in carrying out the changes which must necessarily take place, the Government would give proper and full consideration to the long services of those officers who had faithfully and truly served in the different Provincial Governments. He felt satisfied the Government would not overlook their claims, although they might occupy a somewhat different position from other officers in the Civil Service. He was not going to occupy the time of the Council further; but he felt it was a matter for the great-

est congratulation that they were now bringing the people more distinctly face to face with the whole expenditure of the country, instead of its being divided into so many parts, and that the whole departmental expenditure was brought under one control, and appeared in the annual Appropriation Act.

The Hon. Mr. HALL would only say one or two words upon the general aspect of the financial question which had been referred to by the Hon. Mr. Waterhouse. He thought that reference was very appropriate on the passing of a Bill of this character. The honorable gentleman stated—and he was sorry that he had to agree with him—that they were practically living to a very considerable extent beyond their income. It was just as well that there should be no disguise about it. This over-expenditure might be traced to a variety of causes—to some extent perhaps to the fact that the revenue had not shown that elasticity which the history of previous years might have warranted the Government in expecting, but to a greater extent it was owing to the fact that they had had to face the large constitutional changes they were now accomplishing—changes which had to be effected, he thought, at almost any sacrifice, at a time unfortunately of considerable depression. If those changes had been carried out two years ago, when the revenue of the colony presented a very remarkable elasticity, he thought they would have been effected under very much more favourable auspices. But it was undoubtedly the fact that those changes had been commended to various parts of the country by very liberal allowances—allowances which, when they were first proposed, it was anticipated the revenue would freely bear, but which a diminished revenue, or at least a not increasing revenue, had hardly been able to stand. Speaking his own individual opinion, he might say that, in point of principle, he held it to be quite unjustifiable that the subsidies to road districts and counties should be paid out of land revenue. He would have no objection to their being paid out of Consolidated Revenue; but when that revenue was not equal to the task, he held it was not justifiable that they should continue to pay those allowances. No doubt they would be spent in a very large proportion upon current works—upon the maintenance of roads; and if they did that out of borrowed money, they would be evidently paying their ordinary expenses out of capital. No doubt the present Government felt itself in a very difficult position. The Government had pledged itself to carry out this system; and although a new Government had no doubt come into office, which was not fettered by the acts of its predecessors, still he thought there was no doubt that, if any change had been made in this respect, the various local bodies throughout the country would have felt that the Government of the colony had committed a breach of faith towards them. That, he presumed, was an argument which was felt to have very considerable weight with the Government. But he could only hope that, consistently with good faith, the Government would as soon as possible get out of

what he held to be a vicious and dangerous system. Having had a very small insight into the position of the affairs of the Government—speaking, of course, without any responsibility and without any kind of authority—he might say he thought it would have been very difficult for any Government at the present time to have put the finances of the colony upon a satisfactory footing. They were in a position of very considerable difficulty for the Government of the colony. They were carrying out vast changes in the Constitution; and it was hardly possible for any Treasurer to ascertain what the permanent position of the finances would be—what the permanent necessary expenses would be—when the Government of the colony had settled down into the new state of things; and, on the other hand, what the available income would be. That he did not think any Treasurer could learn at the present time; and therefore he held that the present state of things was an excuse, or perhaps it would be more a justification, for asking for the authority which had been given to issue Treasury bills to the amount stated by the honorable gentleman. He sincerely trusted, in fact he felt confident, that the attention of the Government would be given to the whole financial position of the colony, and that they would ascertain, as clearly as the Government could ascertain, what their actual financial requirements were, and what their necessary expenditure would be, and, on the other hand, the resources upon which they could fairly rely. He thought the Government would be able to come before them in a future session with a clear statement of facts, and a proposal which would put the finances of the country on a satisfactory footing. He could hardly hope that they would be able to carry on without calling upon the country to bear further taxation; and the sooner the people of the colony were familiar with the idea that increased taxation might be necessary the better, for it took some time to reconcile the people to sacrifices of that kind. He thought it was just as well that it should be suggested in this Council—and he could do so with perfect good faith—that in the adjustment of further taxation they must look to placing larger burdens on property than it had hitherto borne. That was a question upon which a difference of opinion might arise. He thought property should not be unduly burdened; but his opinion was that, in the future adjustment of the taxation of the country, property would have to bear a larger share of taxation than it had hitherto borne. With regard to the remarks of his honorable friend Mr. Bonar, as to this being his last appearance in the Council as the Superintendent of a province, he must say that, whatever might be the individual excellences of the Superintendents, their presence in Parliament had been the reverse of beneficial. In times past, they had done good work in their respective provinces—he believed all of them had at heart the welfare and progress of those provinces; but the misfortune appeared to have been that, in the discharge of their local duties, their ideas had become somewhat narrowed, and they had been accus-

tomed to look on the affairs of the colony with somewhat local prepossessions and prejudices, and they had not been able to leave those behind them when they came to Parliament. In the discharge of their parliamentary duties they had been more influenced by the consideration of what was due to their particular locality than what was due to the colony at large. He had the very highest idea of those honorable gentlemen, but that, had been their great fault. Although they might not see the same gentlemen in Parliament as Superintendents, he hoped to see them in the Assembly disembarassed from the influences to which he had referred, and that for many years to come they would be able to render good service to their adopted country.

* The Hon. Dr. POLLEN said, with regard to the observations of the Hon. Mr. Waterhouse as to the issuing of Treasury bills authorized by this Bill, he had only to say that the Government hoped to be able to carry on the business of the country without the issue of Treasury bills to the full extent; but it was absolutely and imperatively necessary that in the impending changes the Government should have the power of preventing any difficulties arising in the various provincial districts from the want of means to carry on the new institutions. In some instances the Government had been prevented from ascertaining the real wants and necessities of the provinces, and they had been obliged to leave a large margin, in order to meet any necessities that might arise. He did not agree with his honorable friend Mr. Hall in thinking that in future a necessity would arise for imposing further burdens upon property. He thought that when the Consolidated Revenue was relieved from the heavy charge which was now forced upon it in the payment of interest on works that were in course of construction, and therefore unproductive, such as unfinished railway lines, the anticipations of his honorable friend as to the necessity for imposing additional burdens on property would not be realized, but that the revenue would be found equal to all legitimate requirements. He hoped, with the experience which they would gain before next session, they would be in a position to show that not only was a great decrease in the expenditure possible, but that such decrease had been made to a considerable extent before Parliament met again. He would allude to another matter referred to by his honorable friend Mr. Waterhouse. For some time past a desire had been expressed to get rid of an expensive toy in the shape of the Lowry Bay estate; and it was in the hope of getting rid of it, and of realizing some portion at least of the large sum of money which it had cost, that arrangements were made for the disposal of it by the Government on their own responsibility. They had not been able to dispose of the Lowry Bay property at a price which they thought it their duty to accept, but they were not without hope that something like a more reasonable price than that offered would be obtained. As far as the new arrangements made were concerned, a good deal of the expense would be borne by His Excellency the Governor. He was satisfied that the arrangements fixed by Act had been found to

be most convenient, and they had been most loyally adhered to by all the parties to those arrangements. The existing arrangements were a great improvement upon the arrangements, or rather want of arrangements, which obtained previously. It was almost too soon to pronounce a funeral oration upon the officers who had conducted the work of government in the several provinces of the colony up to this time. When it was found that they had with dignity folded around them their mantle of office and retired, honorable members would be able on a future occasion to express their sentiments with regard to those gentlemen, and to the important duties which they had performed in connection with the government of the country. Nobody was more ready than himself to recognize the services which the Superintendents had rendered in the past; but the necessity for them no longer existed. With the means of communication now established throughout the colony, the continuance of provincial institutions was no longer a necessity, and he had reason to hope that the new institutions would be better adapted to existing circumstances, and be more acceptable to the people throughout the colony.

Bill read a second time.

IN COMMITTEE.

Sir J. L. O. RICHARDSON.—Sir, I desire to make a few remarks. It is not very exhilarating to make these remarks to an almost empty Chamber; but as it will be a great relief to me, even if they are a temporary burden to those who are present to listen to them, I feel it a bounden duty to make them with reference to one particular vote—the Defence vote. I do not often trouble the Council, and I am quite sure they will grant me their indulgence upon the present occasion. I have observed with great regret the destruction of those old political institutions that had become familiar to the country. They have been done away with; the Government have introduced others in their place, and I have endeavoured during this session to give my loyal assent to them, and I shall continue to do so: for it is our duty now to do all we can to further the interests of the country in the new form those interests have assumed. I perceive in this Bill now before us a matter which it is my duty to take notice of. Whatever may be my disposition not to engage in that class of politics which are strictly of a political character, there are large social questions in which I have always taken, and shall continue to take, a great interest; and if there is one question more than another upon which I cannot with good conscience relinquish the right to speak, it is that of the defence of the colony. Of course, it is said that we old military men are always living in a kind of scare; that we think it absolutely necessary that something should be doing for the defence of the country. But I say no man possessed of ordinary common sense can look at the state of Europe for a single moment without reasonably feeling an apprehension that, when war does arise in Europe, it will call forth the greatest efforts of

the mother country and of all her colonies to hold their own. I need only point to the millions of armed population throughout the whole continent of Europe; I need only point out that England has taken her best soldier, Lord Napier of Magdala, from his former post, with the avowed intention of employing him either at Gibraltar or Malta; I need only point to the fact that those outlying fortifications have received vast additions, not only to their defences and works, but in those munitions of war which are absolutely necessary for a stubborn, protracted, and effective defence—I may point to all these in proof of what I have said. And there is a still further evidence in the intimation we have received that the fortifications of London are complete; that the whole of the approaches to London have been secured inland by a system of surrounding forts, and by water by a system of torpedoes and formidable navies. There can be no question that it is absolutely necessary that something also should be done by us. It was said, I think, by the Duke of Wellington that there was no general in the British army who, if 20,000 men were put into Hyde Park, would ever be able to get them out again. My recollection bears me back to a time when there was a good deal of truth in that; but now we have officers of very high rank and of very great military capacity who would take not only 20,000 but 200,000 men out of Hyde Park as easily as a general formerly could move a division of the army. We, in this colony, should pay great attention to organizing our defences in order to resist any inroad that might suddenly take place. No childish chimeras was ever so absurd as that which supposes that unorganized bodies of men could successfully for any length of time meet organized bodies in the field. It is simply absurd. We have now in England about 120,000 of the finest Volunteers in the world, the fruits of a once-called scare, and we have also the Militia body, both of which vie with the battalions of the regular army in drill and efficiency. We have our Naval Reserve and reserves of other kinds; and a system of mobilization has been introduced, to say nothing of England's mighty naval resources—so thoroughly alive is England to the necessity of instructing her men in the time of peace so that they may be prepared in the time of war. What are we doing here? That is the point to which I wish to direct the attention of the Council. I have had some little experience, of course of a subordinate character, of the operations of war. I have been present at engagements on the banks of the Ganges, and in those lands which are now almost claimed by Russia—portions of Northern Afghanistan and Central Asia. I have marched through passes where thousands of men have left their bones. I have seen all the horrors—the fearful horrors—of war, not confined to those who were actually engaged, but embracing those who took no active part: horrors that may be seen to-day, though to a more fearful extent, in the excesses committed by the Turkish troops. All this induces me to urge most earnestly upon this Council, upon the other

House, and upon any one who has an interest in the colony, to take steps to protect this colony in the event of any European outbreak occurring. I will direct the attention of the Council to some figures in connection with the Defence and Other Purposes Loan Act, which amounted, by the Act of 1870, to one million of money. Of that sum, so far as I remember, £700,000 was set apart for the purposes of defence, and of the whole of that there now remains only the very insignificant and small sum of £74,000, of which amount £30,000, and an additional grant of £10,000, have been appropriated during this year for the furtherance of military operations, or rather for internal defence, so that there is now but a mere residuum of £30,000. The annual cost of Militia and Volunteers in the colony is £23,533; of Armed Constabulary, £74,808; and there is set aside for contingencies £10,000. Taking the Customs revenue at £1,200,000 annually, we find that about one-tenth of the whole revenue is expended upon internal defence purposes; and with what result? We ought to see a great result from such a comparatively vast annual expenditure. I find that the following statement represents the strength of the various branches of the service in the North and South Islands, not including 500 or 600 Armed Constabulary:—

—	North Island Co's.	South Island Co's.	Com- panies.	Men.
Cavalry	11	2	13	568
Artillery	8	7	10	592
Engineers	1	2	3	190
Rifles	29	32	61	3,018
Naval	2	5	7	414
Total	—	—	94	4,722

I would suggest, for the consideration of the Government during the recess, that they should give attention to the absolute necessity of organising a few companies of Artillery and Rifles on the coast, and keeping them up to the full strength, not having a number of such companies constantly forming and disbanding. They should be companies which it would be an honor, a distinction, and an object of ambition for any man to join. At present, in a fit of enthusiasm, persons are prepared to raise and join a Volunteer corps, and there is no difficulty in getting together a company; but those often are not the kind of corps we require. I might mention one as an instance—the Richardson Fusiliers—which scarcely arrived at its majority, and, indeed, was in its minority, when it expired, though the material was admirable. Now, what I most earnestly wish is, that there should be corps to which a man would be proud to belong, which an officer would feel a pride in commanding. We do not want a brilliant uniform, but we do require a manly, soldierlike service. I am surprised at the number of stated “efficients;” there are 88 or 90 per cent.; and I am afraid that the state of efficiency must be on a somewhat low scale. The question

we have to consider is this: Can we continue to pay £108,000 a year for purposes of internal defence without making one single provision for anything like training, and the elements necessary for a successful defence? I believe there is scarcely a heavy gun in the colony—though there may be a few light guns—ready for use. Then as to the ammunition: I have been an old artilleryman, and have had charge of a magazine, consequently I know something about what I speak; and I venture to say that a good deal of the powder we have in this colony would be absolutely useless for the purpose for which it is intended. I remember that every time we went out for the annual artillery practice in India, we used a 5½-inch mortar to try the strength of the barrels of powder—that is, a barrel from each parcel—for the success of our practice depended to a great extent on knowing thoroughly the strength of the charge. I would suggest that we should have as many full-strength and effective cadet corps at the ports as we can, so that, when the trumpet of war sounds, the military ardour of our youths might be roused, and they would hasten to join as effective recruits. Years ago we determined to rely solely upon ourselves for the internal defence of the country, and we have done the work right well. I take this opportunity—I may never have another—of expressing my high appreciation of the manner in which the Hon. Colonel Whitmore, at a time of extreme distrust and danger on the West Coast, came forward nobly and offered his services to the Government. I feel there are triumphs of peace as well as triumphs of war. We have spread money broadcast among the Natives throughout the country—I do not say injudiciously—and those in charge of the various departments have been well rewarded. But my honorable friend Colonel Whitmore still remains without that full reward which it is a soldier's recognized ambition to receive. I think the time has come when the Government might take steps to obtain rewards for those who have done so much and such gallant service to the country; and, besides others, I would specially mention my honorable friend Colonel Whitmore, and the brave Native chief Morgan, of this Council. Chieftains in India have received high consideration, and marked dignities have been awarded to them. I therefore can see no reason why those who have staunchly fought in this country in the suppression of the rebellion should be deprived of those recognitions which are given so freely in other places. I will not detain the Council at this hour with any further remarks; but I would mention that, in that time of danger to which I referred, my honorable friend Colonel Brett offered his services, and in all probability, if the services of Colonel Whitmore had not been accepted, those of my honorable friend would have been. I have no hesitation whatever in saying that it is the belief of all thoroughly trained military men that when any warlike combinations arise in Europe, the strength of Great Britain will be tried most severely. What will then be our position? Australia has already sent to England, not for military assistance in its

ordinary sense, but for that kind of military scientific assistance that will enable her to utilize to the best advantage the forces in those colonies. Cannot we do the same here? We should secure the services of a military engineer for a year or so, who would visit the various ports of the colony, and, by teaching the entirely new system of defence and military organization, enable us to do the best we can for ourselves. England has thousands of tons of useless ordnance, some of which we might easily obtain for our protection. As yet we knew nothing of the torpedo system, which exists in every river and almost in every navigable creek in England. I daresay this is the last time I shall speak upon this subject. I am sure it is the last time I shall speak with anything like the earnestness I now feel. I would urge upon the Government that preparedness in the time of peace is the surest warrant of success in time of war. Above all things, do not let it be said of us, who proudly claim to be the Britain of the South, that when the mother country was in possibly a death-struggle we were pitiously hanging upon her skirts, not only not assisting, but almost a drag upon her exertions.

Bill reported to the House, and read a third time.

The Council adjourned at a quarter to twelve o'clock p.m.

HOUSE OF REPRESENTATIVES.

Monday, 30th October, 1876.

Tauranga Native Land—Kaimai Gold Field—Sartoris, Downe, and Others' Claims Bill—Waste Lands Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

TAURANGA NATIVE LAND.

Sir G. GREY, without notice, asked the Government a question in reference to this subject. He had waited for a long time for the appearance of the Native Minister, who he believed was still unable to take his place in the House. The subject was one of so much importance that it should not be allowed to stand over until next session. During the time he was Governor, he (Sir G. Grey) confiscated large blocks of Native land in the Tauranga district, out of which reserves for Native purposes were made. He had reason to believe that portions of these reserves had been purchased by officers in the Native Department, and he also believed, if steps were not taken to prevent the purchase of these reserves, the Natives would be left with no land whatever. He wished now to ask the Government whether they would take care that no land reserved for Native purposes in the Tauranga district should be dealt with during the recess, in order that he might have an opportunity of bringing the subject before Parliament next session.

Major ATKINSON would at once give the honorable gentleman the assurance that the Natives should not be allowed to sell to officers of the Native Department; but he could not give an assurance that they would not be allowed to sell to other persons until he had made an inquiry into the circumstances. Personally he knew nothing about these reserves, as they had never previously been brought under his notice. It was possible they might have been given to the Natives for the purpose of being sold; but if, after inquiry, it should be found injurious to the Natives to sell these reserves, he would take care that they were not sold. He would give the honorable gentleman a general promise to that effect, and would at the same time say that he felt very much obliged to him for bringing the matter under his notice.

KAIMAI GOLD FIELD.

Mr. SHEEHAN, in continuation of a question he put to the Premier on a previous occasion, wished to ask the honorable gentleman a question relative to the opening of the Kaimai Gold Field. He would content himself with reading the telegrams he had received from that district, as they would explain the question he wished to put. The first was as follows:—

"Letter addressed to me personally received from Brabant, utterly ignoring what he terms 'so-called committee.' Brabant states in letter that it was found necessary to suspend his negotiations, and informs me that he has received permission to proceed with the negotiations, and obtain opening of Tauranga lands for gold-mining purposes whenever obstructions and agitations caused by me and other ill-advised Europeans cease."

The second telegram was from the same parties, and was to this effect:—

"Hauhau obstructionists have invited Committee to meet them at Motutoa Island to quietly confer respecting the difficulties in relation to opening Kaimai and surrounding country for gold prospecting. Committee decline to attend, unless authorities decline (*sic*) [desire] they should accept the invitation. Were we to meet Natives in question, it might be urged that the committee were adopting a course which might be construed into what would be called one of obstruction, and acting independently of the Government, a course which the public and the committee would much deprecate. We are desirous to give Government every opportunity to act, if they will only convince the public that they really mean business."

The third was a telegram from the committee:—

"Committee and Captain Morris had satisfactory meeting last night *re* Kaimai. That gentleman expressed himself perfectly satisfied with course adopted by committee, and that they had in no way obstructed the action of the Government, as had been reported. Commissioner Brabant left for Auckland last night, so that the Government do not (*sic*) find [it necessary], it would appear, to use any haste in matter of Kaimai."

He read the telegrams for the purpose of clear-

ing a very large district from the charge of obstructing Government officials. He would ask whether the Government had given instructions to stop the communications for opening up the gold field. He had been informed that that was not the case; but he wished to have the matter placed on record for public information.

Major ATKINSON said Mr. Brabant had been instructed to open up the gold field as speedily as possible, and on the 14th of October further instructions were sent to him as follows:—

"The Native Minister desires me to report to you the answer he has sent to Mr. Edgewood *re Kaimai*:—'As yours, the Government have already taken the initiative, and authorized Mr. Brabant to make the best arrangements he can with the Natives. Any demonstration on the part of the committee is more likely to impede than promote the object in view.'"

Mr. Commissioner Brabant had been instructed to use every effort to open up the field and to make the necessary payments to the Natives; but he reported that he had met with great difficulty through the action of this committee. He further said that he had sent two letters to the committee, which the local paper declined to publish, he did not know why. It seemed to allow only one view of the matter to be made public. The committee had entered into communication with one set of Natives, who claimed all the rights in the land; and of course, as the honorable gentleman was aware, when negotiations were entered into with one party, the other claimants were sure to take an opposite view, and refuse to come to any arrangement. The Commissioner was instructed to act directly he could see his way to do so safely. To attempt to do so now, while the matter was in dispute, would be worse than useless. The Government were extremely anxious to open up the field as soon as possible, and had arranged that the Postmaster-General should call there on his way to Auckland, and try to settle the matter.

SARTORIS, DOWNE, AND OTHERS' CLAIMS BILL.

Major ATKINSON moved, That the amendments made by the Legislative Council in this Bill be agreed to.

Sir G. GREY moved, That the amendments be not agreed to. He understood that a statement was to be made by an honorable gentleman who strongly supported the Bill; and when that statement was made, they would be in a better position to deal with the subject.

Major ATKINSON explained that the amendment made by the Legislative Council was the omission of the last clause. A question arose as to whether the Bill, in the form in which it went to the Upper House, was an Appropriation Bill or not, and the authorities, he believed, were against that supposition; but in order to avoid conflict between the two Houses, the Government determined to withdraw the last clause, and to make provision for it out of the unauthorized expenditure, the House having determined that the claim should be fairly met, as the honor of the colony was involved. Had the Government

thought that the Bill in its present form would have been objected to by the other branch of the Legislature, provision for carrying out the intention of the House would have been made in the Public Works Bill.

Mr. MURRAY hoped the Government would do nothing of the sort. If he happened to be in the House next session, he should most decidedly oppose any vote for unauthorized expenditure which included this sum.

Major ATKINSON said that that would be too late. The money would have been paid.

Mr. MURRAY, in that case, hoped the House would express its feelings in no uncertain manner before the prorogation took place.

Major ATKINSON said the vote for unauthorized expenditure was placed at the disposal of the Government to meet all necessary purposes. The House had already expressed itself strongly with regard to this matter, and had approved the vote.

Mr. SHEEHAN said the Sartoris and Downe claims had certainly been approved by the House; but he had yet to learn that the unauthorized expenditure was placed at the disposal of Ministers to enable them to make provision for votes that had been rejected by the Upper House. It appeared to him that the Upper House was usurping the functions of the Lower House; and if that were to be allowed, the sooner they threw up the sponge the better. He hoped the Government would not so readily abandon the privileges of the House, even for the purpose of effecting a quiet settlement of these claims. Rather than see any conference asked for, he would prefer to allow the whole matter to stand over till next year.

Sir G. GREY thought some explanation was due from the honorable member for Grey and Bell. It had been said that he was to receive a large sum for forcing this Bill through the House, and that was a matter which ought to be explained.

Major ATKINSON said there was no breach of privilege at all. If there was, it was a breach on the part of the Government. Thinking it probable such a question might be raised, they thought it better to withdraw the clause, knowing the views of the House, which had expressed itself decidedly in favour of the settlement of the claims. That being the case, they decided to make provision in another way.

Mr. LARNACH said a very unpleasant rumour was afloat that a large sum of money was to be paid to a member of the House if these claims were satisfactorily settled. As a member of the Committee who sat upon the case, he might say that it was very unsatisfactory to hear such a rumour, and that the decision of the Committee would not have been what it was if the Committee had been aware that such was the case. He hoped the honorable member referred to would give some explanation of the matter.

Mr. CARRINGTON scarcely knew what to say on the matter. As Superintendent of the Province of Taranaki, he had a bounden duty to carry out in looking after the interests of the province; and as guardian in the case of Sartoris

and Downe he was sworn (in the case of Downe) to proceed until justice was done. He had had a most difficult course to pursue, but he had carried it out with all honor and justice. There were, he believed, twenty-three persons concerned in this Bill, and for two of them he acted as agent. He had no understanding whatever with Mr. Sartoris in any degree or shape as to commission, although he represented the property for fourteen years before he came into Parliament. Again, with regard to Downe's estate, he might say that he had no understanding with the trustees that he was to receive any commission. When Captain Borrer was out here the other day, he said, "Mr. Carrington, I know not how to remunerate you for the trouble you have taken all these years." He (Mr. Carrington) said, "Say nothing about that at present; let us get all these matters settled; but if you want to know anything about these land transactions, you had better ask Mr. Hirst, of New Plymouth, what is the commission usually paid." He (Mr. Carrington) had received nothing from any one since he had been in the colony for this particular work. He had acted for them for about fourteen years before he came to Parliament, and there the matter stood. He need say nothing further.

Sir G. GREY moved that the amendments be not agreed to, in order that the matter might stand over for another year, when full inquiry could be made into it.

Mr. W. WOOD said it was not of the slightest importance which way honorable members voted, as the Government had told them distinctly that they had determined to carry out a certain course, no matter what the House might decide. He would therefore vote that the amendments be agreed to, because it would not alter the claims in any way.

Mr. BOWEN said that the honorable gentleman had misunderstood what the Premier had stated. The honorable member appeared to think that the Premier said that, whether the Bill was dropped or not, the Government would deal with the matter. That was not the case. What the Government said was, that as the Bill was passed through the Lower House, and this clause which the House had agreed to was taken out in the other branch of the Legislature, if the Bill were now passed without the clause in it the Government would still carry out what they believed to be the wish of the House.

Mr. BUNNY called attention to Standing Order No. 155, by which it was provided that no member was entitled to vote upon a question in which he had a direct pecuniary interest, and that the vote of such member should be disallowed. It was very important to the position of the House that members who were entitled to commission for work which they did as members of the House should not be allowed to vote upon a question in which they were immediately interested. It was rumoured in the lobbies that the honorable member for Grey and Bell was to receive a commission of 10 per cent. on £17,000 if these claims were settled; and if such a contract had been made by the honorable gentleman, he clearly should not be allowed to vote that

the amendment should be agreed to. If the amendment were agreed to, the honorable member would receive £1,700 as commission; and it would perhaps have been just as well if the honorable member had not spoken, unless he was prepared to give a distinct denial of that statement. It would be advisable that the matter should stand over until next session, when the House would be much better able to go into it. He would ask Mr. Speaker's ruling on the interpretation of the Standing Order to which he had referred.

Mr. SPEAKER said the Standing Order was very clear; but that which was not very clear was how far it could be applied, inasmuch as the Speaker's attention had not been called to the matter until after the vote was taken. It would be his duty to disallow any vote given by an honorable member who clearly had a pecuniary interest in the vote he gave; but he could not say, on the spur of the moment, how he could apply the rule in the present case. He could see that great inconvenience might arise from such a vote being taken, because possibly the vote objected to might have been that which passed the Bill as it left the House of Representatives, and which was afterwards dealt with by the other branch of the Legislature. If his attention had been called to the matter at the time, and if it was clear that any honorable member voting on the question had a personal interest in it, it would have been his duty to disallow that vote.

Mr. CARRINGTON, as a matter of personal explanation, might say—and he believed he would justify himself in the eyes of every member of the House—that he was acting in this case in the double capacity of Superintendent of the province and as guardian of the people he had been sworn to act for. The sum of £6,000 which was put in the Bill was for a road to be constructed in the Province of Taranaki, and had no more to do with Sartoris and Downe than with the man in the moon. It was for the £6,000 for the road in the Province of Taranaki that he voted, and his vote had nothing whatever to do with Sartoris and Downe's claim and award, which award ought to have been paid at the time it was made, some three years ago.

Mr. SHEEHAN was not aware that this matter would have been raised; but as it had been raised, he thought the honorable member for Grey and Bell should give some specific answers to the questions put to him. He would ask, through Mr. Speaker, whether that honorable gentleman was to receive any of the compensation paid to Messrs. Sartoris and Downe. He would put it in this way: A member might receive money for services rendered in the House. Supposing his honorable friend had made no arrangement to receive any portion of this money prior to the Bill passing, and the parties affected afterwards said to him, when the Bill had passed, "Mr. Carrington, you have for seventeen years worked for us, and fought our battle nobly. Here is £1,000"—then, no doubt, the honorable member would have every right to receive the money. He (Mr. Sheehan) would like to know whether the money the honorable member had to

receive was to be received in that way, or whether it was promised to him before the Bill passed through the Legislature. He felt sure the honorable gentleman would give a satisfactory answer to the question; but, at the same time, an answer should be given.

Mr. LARNACH would like to know whether the money was to be given in a lump sum, or by way of commission, because an answer one way or the other would affect his vote.

Mr. CARRINGTON could not answer these questions. All he could say was, that he had no arrangement. If these gentlemen did not choose to give him a single iota for the twenty years he had worked for them at great cost and sacrifice to himself in this matter, he could not make them do so.

Mr. SHEEHAN.—Does the honorable member expect to receive any portion of the award?

Mr. CARRINGTON.—Do you mean money or land?

Mr. SHEEHAN.—Money or land?

Mr. CARRINGTON.—I cannot tell what these people will do. I have no arrangement with any one of them, and Captain Borrer, when here, told me that he had no power to settle—it rested with the trustees; and I told him that I would not accept more than 10 per cent.

Sir G. GREY would suggest that this was a most important question. Honorable gentlemen might be led to refrain from opposing a Bill of this kind by private solicitations from another honorable member and by arguments used in the Select Committee; and yet those arguments and solicitations might have been used by an honorable member on account of large sums of money or land he was to receive if the Bill were passed. The whole question was so important that no harm could ensue from disagreeing with the amendments and letting the matter stand over till next session. The House was evidently misled when it passed the Bill.

Mr. FITZROY thought the House ought to agree to the excision of this 4th clause. He was a member of the Sartoris and Downe Committee, and he could say that this question of spending £6,000 on a road in Taranaki never came before that Committee, and had only appeared in the Bill afterwards. It was simply the claims of Sartoris, Downe, and others that were inquired into; and if the other House took exception to this clause it should be struck out, and the settlement of these claims, in which the honor and credit of the colony were involved, should not be delayed.

Mr. SPEAKER had looked into the matter of disallowing the vote of an honorable member pecuniarily interested in a question, and found it laid down by ruling of the Speaker of the House of Commons that, where a member had voted in violation of that rule, such vote, when challenged in the House, was disallowed. He was unable to say, however, within what time after a vote was given it could be challenged.

Mr. W. WOOD would call attention to the fact that the honorable member for Grey and Bell had been appealed to by several honorable gentlemen and had been given several opportu-

nities to give a flat contradiction to the rumour which was floating about, but had not given such a contradiction. He would suggest that the honorable gentleman should not vote upon this question; or if he was in a position to give a distinct denial to the statement that he was to receive a commission for this work, that he should deny that such was the case.

Mr. SPEAKER said that, if the matter came to a division, he would ask the honorable member to say distinctly whether he had a pecuniary interest in the matter or not.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	15
Majority against ...					3

AYES.

Major Atkinson,	Mr. Pyke,
Mr. Bowen,	Mr. Richardson,
Mr. Curtis,	Mr. Whitaker.
Mr. Fitzroy,	
Mr. G. McLean,	<i>Tellers.</i>
Mr. Hunter,	Mr. Andrew,
Mr. Pearce,	Mr. Kelly.

NOES.

Mr. J. O. Brown,	Mr. Rowe,
Mr. Bunny,	Mr. Sheehan,
Mr. Gibbs,	Mr. Tairaoa,
Sir G. Grey,	Mr. Tole,
Mr. Johnston,	Mr. Wakefield.
Mr. Manders,	<i>Tellers.</i>
Mr. Murray,	Mr. Larnach,
Mr. Nahe,	Mr. W. Wood.

The amendments were consequently disagreed to.

Major ATKINSON was rather at a loss as to what course he should pursue under the circumstances. The House had on a previous occasion ordered that these claims should be settled, because the honor and credit of New Zealand were concerned in their settlement, and the vote now come to would seem to show that the House wished no arrangement to be made. He would, however, move, That a Committee be appointed to draw up reasons why the amendments made by the Legislative Council in the Bill should not be agreed to; such Committee to consist of Mr. Kelly, Mr. Andrew, and himself.

Mr. MURRAY thought there should not be two Taranaki members on the Committee, and would therefore move that the name of Mr. Larnach be substituted for that of Mr. Kelly.

Mr. MURRAY's amendment agreed to.

Mr. MURRAY moved, That the name of Sir George Grey be added to the Managers.

Motion agreed to.

Sir G. GREY moved, as an amendment, That the consideration of this question stand over until the next session of Parliament. After what had been disclosed, it was desirable that the whole matter should be investigated by a Committee

next session. Whatever just and fair claim had been established, he, as well as other honorable members, would desire to support it. A very important question had arisen in connection with this case—namely, whether an honorable gentleman could or could not act as an agent for the parties, and then take an active part in the matter in the House. A further inquiry should take place into the matter next session.

Major ATKINSON had already pointed out that the House had ordered, on account of the honor of New Zealand, that these claims should be settled immediately; and the Government, upon that order, had taken some pains to settle matters, supposing the claims to be just. He had always contended against the claims; but the House having determined that they were just and right, and that they should be settled, the Government submitted a measure to the House to satisfy the claims—a measure which the House considered equitable and right. Now, after the majority of members had left, upon a mere technicality the remainder of the House proposed to allow the matter to stand over until next session, having apparently discovered that some member of the House was interested in the settlement of the claims. He was at a loss to conceive how that could affect the question at all. If those persons had a just claim, it did not matter to the House who was interested in the claim. He submitted that the House would stultify itself now by agreeing to a proposal to allow the matter to stand over until next session. He trusted the House would agree to the appointment of a Conference, so that the question might be arranged, if possible, this session.

Sir R. DOUGLAS said the question was not the settlement of the claims, but whether or not a member of this House should receive a fee or reward for promoting those claims. They had passed this session a Disqualification Act of a very stringent character—an Act which affected about forty members of this House. It appeared to him that the case they were now considering was as bad as any case that could come under the Disqualification Act: it was that of a member of this House receiving a large fee for having done a large amount of work for people outside. If they could in any way insert a clause in the Disqualification Act that would cause that member to be disqualified if he received any fee or reward, the House would be quite satisfied to settle the petitioners' claim. He (Sir R. Douglas) was quite willing to see the claim settled; but he was not willing to see any member of this House receive any fee or reward for having done his duty in this House.

Mr. FITZROY hoped the House would not allow the innocent to suffer with the guilty in this case. A new feature had arisen in this case, and it was wrong that any member of this House should receive any fee whatever for services rendered by him as a member. He thought the order which the House had previously made should be carried out, and that the claim should be settled.

Mr. JOHNSTON thought it was a very improper proceeding for any member to obtain

money for supporting this measure, and that was why he had voted for the amendment. He thought any member who endeavoured to promote his private interests by his action in this House did not deserve much consideration. The claims were perfectly just, and he would never think of disputing them; but he certainly objected to an honorable member attempting to obtain the assent of the House to their settlement in this most extraordinary manner.

Mr. ROWE did not agree with the honorable member for Selwyn in considering this a case of the innocent suffering for the guilty. Honorable members were quite prepared to vote for the settlement of the claims; but they now, for the first time, discovered that the agent of the claimants—a member of this House—was to receive from the claimants a very large bonus for advocating their cause in this House. This appeared to him to be the very worst case that had come before the House. It would be well to postpone the consideration of this case until next session. The whole matter could then be impartially investigated, and he was quite sure that honorable members would do justice to all the parties concerned.

Mr. HUNTER wished to point out that should the Conference not agree the Bill would drop, and the whole matter would have to be gone into next session.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	13
Majority for	...	...	...	...	2

AYES.

Major Atkinson,	Mr. G. McLean,
Mr. Bowen,	Mr. Pyke,
Mr. Curtis,	Mr. Richardson,
Sir R. Douglas,	Mr. Tawiti,
Mr. Fitzroy,	Mr. Whitaker.
Mr. Gibbs,	<i>Tellers.</i>
Mr. Hunter,	Mr. Kelly,
Mr. Johnston,	Mr. Pearce.

NOES.

Mr. J. O. Brown,	Mr. Rowe,
Mr. Bunny,	Mr. Taiaroa,
Sir G. Grey,	Mr. Wakefield,
Mr. Larnach,	Mr. W. Wood.
Mr. Manders,	<i>Tellers.</i>
Mr. Murray,	Mr. Sheehan,
Mr. Nahe,	Mr. Tole.

The amendment was consequently negatived, and the motion agreed to.

Major ATKINSON subsequently reported that the Managers appointed to prepare reasons for the House disagreeing with the amendment made by the Legislative Council had not been able to agree. Two reasons had been discussed by the Managers, and a division was taken upon them, there being two votes upon each side. The consequence was that the Managers were unable to

agree to any reasons. He was not aware what the proper course would be under the circumstances—whether it would be right to move that the Managers be discharged and fresh ones appointed.

Mr. SPEAKER said it would be quite competent to move that fresh Managers be appointed.

Major ATKINSON moved, That Mr. Hunter, Mr. Fitzroy, and himself be appointed Managers, to prepare reasons for disagreeing with the Legislative Council.

Mr. SHEEHAN said he must confess that he had never heard—he supposed he could not use the word “impudent:” that would not be parliamentary—but he had never heard such a proposition made as to draw all the members of a Conference from the minority. The invariable rule was that the majority named Managers; and that rule, without mistake or denial, and without impeachment, had been carried out for the last four or five years. His honorable friend named three members who that very afternoon had voted in the minority on this question. He would propose to leave out the names mentioned by the Premier, with the view of putting in the names of Mr. J. O. Brown, Mr. W. Wood, and Mr. J. A. Tole. The Ministry were absolutely asking the House to fight on the side of the Legislative Council; and, in order to do that, they attempted to break the invariable rule with regard to Conferences of Managers being taken from the side of the majority.

Mr. SPEAKER might state, with regard to the observations of the honorable member, that in one sense they were entirely correct—namely, that the Managers of a Conference were appointed to represent the majority in the House. The honorable gentleman should, however, recollect that there was a peculiarity in this case. The majority of the House had held an opinion with regard to the Bill, which they desired to see pass; and if it had only been a question of whether the Bill should pass or not, there could be no doubt that, according to usage, the Managers should be selected from the majority. In this case, however, after the Bill was sent back to the House with an amendment, certain circumstances incidental to the Bill transpired, and upon that there arose a division of opinion in the House. So far as the House was concerned, that was a question concerning the House itself, and not concerning its difference with the Legislative Council. Hence had arisen the anomaly. He could not admit that the motion of the Premier was in distinct violation of the rule which the honorable member for Rodney had correctly stated.

Mr. WAKEFIELD had listened with very great attention to Mr. Speaker's ruling. At the same time, it seemed to him that there was no doubt the side of the House which decided to disagree with the Legislative Council should draw up reasons for such disagreement. How could the Premier, the honorable member for Selwyn, and the honorable member for Wellington City (Mr. Hunter) be called upon to draw up reasons for disagreeing with the Legislative Council when they did not disagree with that Chamber? That

was a reason why the Managers should be appointed from the majority. Those three gentlemen recorded their votes in favour of agreeing with the Legislative Council. The thing was perfectly plain; and he was surprised that the Premier should propose that three gentlemen who did not disagree should draw up reasons for disagreeing. He would certainly support the honorable member for Rodney in his amendment, and trusted that the House, not only in order to expedite business, but to have the matter properly settled, would appoint persons who would draw up proper reasons for disagreeing with the Legislative Council.

Major ATKINSON said the arguments of the honorable gentleman might be quite sound if applied to an ordinary case, but were not so in the present instance. The avowed object of those who voted with the Noes that afternoon was, not to carry out what the House desired—namely, the passing of the Bill—but to get the Bill thrown out. He took it that there could be no question the House desired the Bill to pass. The House directed the Government to bring it in, and a large majority desired the Bill to become law; whereas the majority on the last vote avowedly disagreed with the amendment, in order to throw the Bill out. He was not speaking without book on this matter, and did not think he was betraying any confidence in saying that such was the object of two of the Managers of the Conference. Those two gentlemen stated distinctly that such was their object; whereas the view which the two other members of the Conference took of their duty was to carry out the wishes of the House, and re-insert the clause struck out by the Legislative Council. Therefore, it became a question whether the will of the House should be carried out, or whether the Bill should be rejected; and it appeared to him, as being responsible for carrying the Bill through, that he should name Managers who would endeavour to give effect to the wishes of the House. He absolutely denied that he chose the Managers from the minority, but he took them from that side which would carry out the view of the House to get the Bill passed this session. If honorable members desired that the Bill should be rejected, they should take other steps, and not attempt to throw it out by a side-wind.

Sir G. GREY wished to say that the honorable gentleman had not strictly represented what took place in Conference, and would himself admit it. He (Sir George Grey) would refer to that matter presently; but what he now desired to say was, that he denied *in toto* that a majority of the House, if all were present, would now desire that this Bill should pass through this session. He was certain that a great many members who, like himself, sat silent when the Bill was passing, were in perfect ignorance that the honorable member who was so deeply interested in the matter, and who was constantly talking upon the subject, was to receive a large pecuniary advantage from what he brought under the notice of the House. If he had known that such was to be the case, he would have resisted the passing of the Bill, and he believed that many honorable members, who

and he therefore referred to this matter now, in order that the attention of honorable members might be directed to it, and that the Government themselves might see that, if this unauthorized expenditure was indulged in, the attention of Parliament should be called to the subject. He trusted it would not be thought for a moment that he was reflecting upon His Excellency the Governor in this matter. He was desirous to stop a system which was pernicious in itself, and which, unless stopped, might be attended with evil consequences. He would not occupy the attention of the Council further; but he could not allow this important motion with regard to the second reading of the Appropriation Bill to pass without making these few observations.

The Hon. Mr. BONAR was not going to follow the Hon. Mr. Waterhouse through the questions he had raised. The remarks which fell from the honorable mover about this being the last Bill that would come before Parliament this session, called to his mind the fact that this was probably the last occasion on which a Superintendent of a province would have the privilege of addressing Parliament; and he thought it was a special feature for congratulation that, for the first time for many years, there was now included in the Appropriation Act provision for the government of the whole colony. This, he thought, was a matter for most sincere congratulation; and although the provision which had been made had necessarily been somewhat imperfect and incomplete in its character, still he hoped this was but the precursor of a consolidation of the numerous offices which had been existing in duplicate throughout the whole colony, and of a very large and material reduction in the expenditure of the country upon other departmental matters. This was a matter to the consideration of which he was sure the Government would apply themselves most closely during the recess; and before next session of Parliament he hoped they would bring down such a scheme for the consolidation of the various offices and the reduction of officers, without reducing salaries, as would lead very much to the improvement of the Civil Service of the country. He had no doubt also that, while the question of the consolidation of offices was under their consideration, they would direct their attention to a very important matter which had been pending this session, and which he thought was in an unsatisfactory condition—namely, the Civil Service. It was a subject which had been talked of and brought forward on many occasions, and he thought the present time was a most suitable opportunity for considering it. He might take that occasion to express a hope that in making these alterations, and in carrying out the changes which must necessarily take place, the Government would give proper and full consideration to the long services of those officers who had faithfully and truly served in the different Provincial Governments. He felt satisfied the Government would not overlook their claims, although they might occupy a somewhat different position from other officers in the Civil Service. He was not going to occupy the time of the Council further; but he felt it was a matter for the great-

est congratulation that they were now bringing the people more distinctly face to face with the whole expenditure of the country, instead of its being divided into so many parts, and that the whole departmental expenditure was brought under one control, and appeared in the annual Appropriation Act.

The Hon. Mr. HALL would only say one or two words upon the general aspect of the financial question which had been referred to by the Hon. Mr. Waterhouse. He thought that reference was very appropriate on the passing of a Bill of this character. The honorable gentleman stated—and he was sorry that he had to agree with him—that they were practically living to a very considerable extent beyond their income. It was just as well that there should be no disguise about it. This over-expenditure might be traced to a variety of causes—to some extent perhaps to the fact that the revenue had not shown that elasticity which the history of previous years might have warranted the Government in expecting, but to a greater extent it was owing to the fact that they had had to face the large constitutional changes they were now accomplishing—changes which had to be effected, he thought, at almost any sacrifice, at a time unfortunately of considerable depression. If those changes had been carried out two years ago, when the revenue of the colony presented a very remarkable elasticity, he thought they would have been effected under very much more favourable auspices. But it was undoubtedly the fact that those changes had been commended to various parts of the country by very liberal allowances—allowances which, when they were first proposed, it was anticipated the revenue would freely bear, but which a diminished revenue, or at least a not increasing revenue, had hardly been able to stand. Speaking his own individual opinion, he might say that, in point of principle, he held it to be quite unjustifiable that the subsidies to road districts and counties should be paid out of land revenue. He would have no objection to their being paid out of Consolidated Revenue; but when that revenue was not equal to the task, he held it was not justifiable that they should continue to pay those allowances. No doubt they would be spent in a very large proportion upon current works—upon the maintenance of roads; and if they did that out of borrowed money, they would be evidently paying their ordinary expenses out of capital. No doubt the present Government felt itself in a very difficult position. The Government had pledged itself to carry out this system; and although a new Government had no doubt come into office, which was not fettered by the acts of its predecessors, still he thought there was no doubt that, if any change had been made in this respect, the various local bodies throughout the country would have felt that the Government of the colony had committed a breach of faith towards them. That, he presumed, was an argument which was felt to have very considerable weight with the Government. But he could only hope that, consistently with good faith, the Government would as soon as possible get out of

what he held to be a vicious and dangerous system. Having had a very small insight into the position of the affairs of the Government—speaking, of course, without any responsibility and without any kind of authority—he might say he thought it would have been very difficult for any Government at the present time to have put the finances of the colony upon a satisfactory footing. They were in a position of very considerable difficulty for the Government of the colony. They were carrying out vast changes in the Constitution; and it was hardly possible for any Treasurer to ascertain what the permanent position of the finances would be—what the permanent necessary expenses would be—when the Government of the colony had settled down into the new state of things; and, on the other hand, what the available income would be. That he did not think any Treasurer could learn at the present time; and therefore he held that the present state of things was an excuse, or perhaps it would be more a justification, for asking for the authority which had been given to issue Treasury bills to the amount stated by the honorable gentleman. He sincerely trusted, in fact he felt confident, that the attention of the Government would be given to the whole financial position of the colony, and that they would ascertain, as clearly as the Government could ascertain, what their actual financial requirements were, and what their necessary expenditure would be, and, on the other hand, the resources upon which they could fairly rely. He thought the Government would be able to come before them in a future session with a clear statement of facts, and a proposal which would put the finances of the country on a satisfactory footing. He could hardly hope that they would be able to carry on without calling upon the country to bear further taxation; and the sooner the people of the colony were familiar with the idea that increased taxation might be necessary the better, for it took some time to reconcile the people to sacrifices of that kind. He thought it was just as well that it should be suggested in this Council—and he could do so with perfect good faith—that in the adjustment of further taxation they must look to placing larger burdens on property than it had hitherto borne. That was a question upon which a difference of opinion might arise. He thought property should not be unduly burdened; but his opinion was that, in the future adjustment of the taxation of the country, property would have to bear a larger share of taxation than it had hitherto borne. With regard to the remarks of his honorable friend Mr. Bonar, as to this being his last appearance in the Council as the Superintendent of a province, he must say that, whatever might be the individual excellences of the Superintendents, their presence in Parliament had been the reverse of beneficial. In times past, they had done good work in their respective provinces—he believed all of them had at heart the welfare and progress of those provinces; but the misfortune appeared to have been that, in the discharge of their local duties, their ideas had become somewhat narrowed, and they had been accus-

tomed to look on the affairs of the colony with somewhat local prepossessions and prejudices, and they had not been able to leave those behind them when they came to Parliament. In the discharge of their parliamentary duties they had been more influenced by the consideration of what was due to their particular locality than what was due to the colony at large. He had the very highest idea of those honorable gentlemen, but that, had been their great fault. Although they might not see the same gentlemen in Parliament as Superintendents, he hoped to see them in the Assembly disembarrassed from the influences to which he had referred, and that for many years to come they would be able to render good service to their adopted country.

*The Hon. Dr. POLLEN said, with regard to the observations of the Hon. Mr. Waterhouse as to the issuing of Treasury bills authorized by this Bill, he had only to say that the Government hoped to be able to carry on the business of the country without the issue of Treasury bills to the full extent; but it was absolutely and imperatively necessary that in the impending changes the Government should have the power of preventing any difficulties arising in the various provincial districts from the want of means to carry on the new institutions. In some instances the Government had been prevented from ascertaining the real wants and necessities of the provinces, and they had been obliged to leave a large margin, in order to meet any necessities that might arise. He did not agree with his honorable friend Mr. Hall in thinking that in future a necessity would arise for imposing further burdens upon property. He thought that when the Consolidated Revenue was relieved from the heavy charge which was now forced upon it in the payment of interest on works that were in course of construction, and therefore unproductive, such as unfinished railway lines, the anticipations of his honorable friend as to the necessity for imposing additional burdens on property would not be realized, but that the revenue would be found equal to all legitimate requirements. He hoped, with the experience which they would gain before next session, they would be in a position to show that not only was a great decrease in the expenditure possible, but that such decrease had been made to a considerable extent before Parliament met again. He would allude to another matter referred to by his honorable friend Mr. Waterhouse. For some time past a desire had been expressed to get rid of an expensive toy in the shape of the Lowry Bay estate; and it was in the hope of getting rid of it, and of realizing some portion at least of the large sum of money which it had cost, that arrangements were made for the disposal of it by the Government on their own responsibility. They had not been able to dispose of the Lowry Bay property at a price which they thought it their duty to accept, but they were not without hope that something like a more reasonable price than that offered would be obtained. As far as the new arrangements made were concerned, a good deal of the expense would be borne by His Excellency the Governor. He was satisfied that the arrangements fixed by Act had been found to

the Managers appointed by the Council to confer with the Managers appointed by the House of Representatives on the subject of the Waste Lands Bill, he had to report that they had agreed to the amendments made by the House of Representatives in the Bill. The amendments dealt so much with details that it would not be practicable to show the Council at the present moment what they were; but at a later period of the day the Bill as amended would be printed, and then honorable gentlemen would see exactly how the matter stood. He might state that the Managers had agreed to restore the provincial land laws relating to the sale of land on deferred payments, and special settlements, to their present state, striking out of the Bill the clauses relating to deferred payments generally, and also those referring to forest conservation. The only other point upon which a serious difference of opinion existed was a proviso to the 26th clause, which allowed any Commissioner of a Waste Lands Board who did not receive payment or travelling expenses to hold a seat in the General Assembly. That proviso had been struck out by the Council; but after the Conference had considered the matter, the Managers appointed by the Council admitted that, as it was desired to restore the existing system for the present, they might waive their objection, and they had waived it accordingly. The other amendments were all of a technical character.

The Hon. Captain FRASER could not understand why the Hon. Mr. Hall had given way on such a very material point. The honorable gentleman had several times mentioned in the Council that the Waste Lands Board of Canterbury was a non-political body; and yet he had actually given way to the Managers of the other House in such a way that the Canterbury Waste Lands Board and others might become political bodies, because the Government would have power to appoint only their own supporters to be members of the Boards. The Waste Lands Board of Otago would cease to exist as it at present existed on the 1st January next, and might be made an entirely political body by the Governor appointing any persons he chose to be members of it. If that provision had been brought forward a week or ten days previously, it would not have had the slightest chance of being carried; but now, at the end of the session, he supposed it would be passed. He thought that the effect of the Hon. Mr. Hall having given way in this manner would be a great curse to the country. He had given power to the Government of the day to make a political body of any Waste Lands Board, and he (Captain Fraser) strongly protested against that.

The Hon. Mr. HALL said, as the honorable gentleman had referred to him personally, in terms which he did not think were justifiable, he would explain that, in common with other members of the Council, he had undertaken the very onerous task of consulting with the Managers appointed by the House of Representatives, whose amendments had generally been agreed to. He thought they were warranted in agreeing to those amendments at such a late period of the

session: in fact, he thought they were bound to do so. He did not think that he personally should be pointed at by the honorable gentleman as having agreed to the amendments. The fact was, the honorable gentleman was sometimes led on the spur of the moment to say things which otherwise he would not say, and he (Mr. Hall) would ask the Council to protect him from such attacks.

The Hon. Mr. HART said the Bill as it stood at present would only be a measure of a temporary nature, as the subject of waste lands must come under the consideration of Parliament during the next session. Then, whatever principles it might be desired to lay down for the future administration of the waste lands, there would be an opportunity of laying down permanently. The object of the Conference was as nearly as possible to restore the existing state of the law on the subject of the deferred-payment system consequent on the change which had taken place in the government of the country, and for the purpose of enabling the Governor to appoint somebody in the place of the Superintendents. If it was considered that the Waste Lands Boards should not in any sense be political bodies, an alteration in that respect could be made when the principles of administration were under discussion next session. He had no doubt that considerable changes in regard to the administration of waste lands would then be made.

The Hon. Captain FRASER might explain that he did not refer to any other member of the Conference except the Hon. Mr. Hall because he was the only one who had been on the Waste Lands Committee, and consequently he was the only one who had heard the matter discussed.

The Hon. Mr. G. E. JOHNSON said he was sorry to hear the remarks by the Hon. Captain Fraser addressed to the Hon. Mr. Hall by name, because he felt that they applied equally well to the Hon. Mr. Hart and himself. He thought it was a pity that, in making his remarks, the honorable gentleman did not speak of all the members of the Conference, instead of the Hon. Mr. Hall only. The whole of the managers appointed by the Council had fully agreed upon the amendments as mentioned by the Hon. Mr. Hall. He was not upon the Waste Lands Committee himself, and he did not believe that the Hon. Mr. Hart was either; but it should be remembered that they had talked over the matter before entering into this Conference, and it was not fair to suppose that they were entirely ignorant of what had taken place in the Waste Lands Committee. He would merely add that it was quite understood on all sides that next session the subject would be under discussion; and, under the circumstances, he did not think they would have acted rightly if they had insisted on the amendments which the Council had made in the Bill. The principle, as far as he was aware, which was attempted to be carried out in the Conference, was to leave the land laws as they stood at present, with the prospect of an entire change being made next session.

Subsequently the report of the Conference was brought up and agreed to.

BUSINESS OF THE SESSION.

The Hon. the SPEAKER read the following return of business done during the session :—

Bills introduced in the Legislative Council ...	25	
Bills brought from the House of Representatives ...	106	131
Bills passed both Houses ...	103	
Bills rejected, —		
Legislative Council Bills in the Legislative Council ...	13	
House of Representative Bills in the Legislative Council ...	15	37
Bills from the House of Representatives amended in the Legislative Council, and amendments accepted by the House of Representatives ...	53	
Bills from the House of Representatives passed by the Legislative Council unamended ...	35	
Total for session, —		
Public Bills ...	103	
Private Bills ...	1	104

PROROGATION.

The Hon. the SPEAKER acquainted the Council that His Excellency the Governor had been pleased to grant a Commission to the honorable members therein named for proroguing the Parliament.

The Commissioners seated themselves, and sent a message by Leonard Stowe, Esq., Clerk of the Legislative Council, desiring the attendance of the House of Representatives.

The SPEAKER of the House of Representatives, accompanied by honorable members, attended.

The Hon. the SPEAKER said,—

HONORABLE GENTLEMEN,—

His Excellency the Governor, not thinking fit to be personally present at this time, has been pleased to cause a Commission to be issued under the seal of the colony, appointing certain honorable members Commissioners for proroguing this present Parliament, which you will now hear read.

The CLERK of the Legislative Council read the Commission, as follows :—

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, and so forth :

To the Hon. Sir JOHN LARKINS CHEESE RICHARDSON, Speaker of the Legislative Council of New Zealand; the Hon. MATHEW RICHMOND, C.B.; the Hon. DANIEL POLLEN; and the Hon. JOHN HALL,

Greeting :

WHEREAS the General Assembly of our Colony of New Zealand was begun and holden at the Government Buildings, in Moleworth Street, in the City of Wellington, on the 15th day of June last past, and is there now holden : And whereas by our letters patent, bearing date the 14th day of June last past, we did give and grant unto the said Sir John Larkins Cheese Richardson, Mathew Richmond, Daniel Pollen, and John Hall, and any two of them, full power in our name to open and hold the said session of the General Assembly, and to do all things necessary to be done in our name, or in the name of our

Governor of our said colony, in and about the holding of the said session of the General Assembly : Now know ye that for certain causes and considerations we have thought fit to prorogue the said General Assembly, and therefore we, confiding in your fidelity and discretion, have assigned and appointed you the said Sir John Larkins Cheese Richardson, Mathew Richmond, Daniel Pollen, and John Hall, our Commissioners, giving to you or any two of you, by virtue of these presents, full power and authority, in our name and in the name of our said Governor, to prorogue and continue the General Assembly of our said Colony of New Zealand, at the said Government Buildings, in Wellington aforesaid, from Tuesday, the 31st day of October instant, until and unto Tuesday, the 16th day of January next, there and then to be holden and sit; and therefore we command that you diligently attend the premises and effectually fulfil them in manner aforesaid, commanding all and singular the members of the said General Assembly, and all whom it concerns, that they meet in the said Assembly, by virtue of these presents, that they observe, obey, and assist you in executing the premises as they ought.

In testimony whereof we have caused our letters to be made patent, and the seal of our said colony to be hereunto affixed.

Witness our right trusty and entirely beloved Cousin and Councillor George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Boss, in the County of Wexford, in the Peerage of Ireland, a Member of our Most Honorable Privy Council; Knight Commander of the Most Distinguished Order of St. Michael and St. George; Governor and Commander-in-Chief in and over our Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the seal of our said colony, at Wellington, this 31st day of October, in the year of our Lord one thousand eight hundred and seventy-six, and in the fortieth year of our reign.

NORMANBY.

The Hon. the SPEAKER said,—By virtue of His Excellency's Commission, under the seal of the colony, to us directed and read, we do, in His Excellency's name, and in obedience to his command, prorogue this Parliament to the 16th day of January, 1877; and this Parliament is prorogued accordingly to Tuesday, the 16th day of January, 1877.

HOUSE OF REPRESENTATIVES.

Tuesday, 31st October, 1876.

Bill Discharged—H. R. Russell—McCreery and Landon—Roera Hukiki—Lawrence Foot-bridge—Alexandra to Waikana Road—Wellington Sheep Fund Account—Ngapuhi Petition—Waste Lands Bill—Sartoris, Downe, and Others' Claims Bill—Business of the Session—Prorogation.

Mr. SPEAKER took the chair at noon.

PRAYERS.

BILL DISCHARGED.

The Civil List Bill.

H. R. RUSSELL.

Mr. MURRAY asked the Premier, Whether the Government will take steps during the recess to give effect to the report of the Public Petitions Committee on the petition of H. R. Russell, respecting a right of road? This petition referred to a matter which was brought before the Public Petitions Committee about a fortnight ago, but there was no time to give notice of motion on the subject, and therefore, as it was a matter of great importance and great hardship to the petitioner, he trusted the Government would give effect to the recommendation of the Public Petitions Committee. The report was to the following effect:—

"The petitioner states that three years ago he purchased 6,800 acres of land in the Province of Hawke's Bay, close to the main road to Porangahau, and that he has no access to it; that the Provincial Government refused his application that a line of road be laid off for him, on the grounds that he has access to the lands through his other private property.

"The petitioner prays that relief be afforded him.

"I am directed to report that, as far as the information offered to the Committee goes, the petitioner appears to have no right of road to 6,800 acres of land, except through other property belonging to him. A right of road has been reserved through petitioner's land in continuation of a private road of some sixty chains which connects it with the main line of road; but petitioner has no right-of-way over the fence of the private road.

"The Committee consider that the land laws of the province are very defective, and the administration lax, which permitted a block of waste land of 6,800 acres to be cut off from the main line of road by intervening purchases which practically withdrew the land from public competition.

"The Committee consider that in this special case a right-of-way should be granted to petitioner, and that legislative action be taken to enable the authorities to take necessary roads through all land on which 5 per cent. allowance has been made for roads, but which rights have lapsed owing to 'The Crown Lands Act, 1861,' having been passed."

Major ATKINSON could not make any such promise as the honorable gentleman desired. As

far as he understood the case at present, it would be for the county authorities to decide whether such a road was necessary. He presumed the purchaser bought the land with a knowledge that there was no road. No doubt it was an objectionable practice for land to be sold without a road to it; but without further information on the subject than he had at present, he could not make any promise on the part of the Government to construct such a road. He would inquire into the matter, and if it was necessary for the Government to interfere they would do so.

MCREEERY AND LUNDON.

Mr. SHEEHAN asked the Government, Whether effect will be given to the report of the Public Petitions Committee recommending inquiry in reference to the petitions of N. McCreery and John Landon? The petition of the first person referred to in his question alleged unfair dealing on the part of the Magistrate at Ormond, and the Committee reported, in respect to it, that if the allegations were true the petitioner was entitled to inquiry, and that the Government should make such inquiry. With regard to the petition of John Landon, he might say that that gentleman complained of the improper conduct of the Returning Officer at the Bay of Islands; and the Committee recommended that some person, not being a public officer or local resident, should be appointed to inquire into the matter.

Major ATKINSON could not undertake, without looking further into the matter, to promise that the Government would give effect to the recommendations of the Committee. He noticed that in the case of McCreery no evidence whatever was brought before the Committee to justify the complaint of the petitioner or to support his case. He was, therefore, not prepared to say that it would be the duty of the Government to carry out the recommendation of the Committee. With regard to the case of Landon, he had already informed the House, in answer to a question by the honorable member for Newton, what course the Government intended to pursue. He would make further inquiries, and take such action as might be necessary.

Mr. SHEEHAN said that Mr. McCreery had attached to his petition a statutory declaration setting forth the causes of his complaint; but, by the rules of the House, that declaration had to be taken off from the petition before it was presented.

ROERA HUKIKI.

Mr. NAHE asked the Government, If they will give effect to the report of the Native Affairs Committee on the petition of Roera Hukiki and others? The petitioners stated that they had applied for a rehearing of the case with regard to a block called Ngaroha. The Committee considered the matter, and thought there was perhaps some mistake about it, and therefore recommended that the Government should make inquiry.

Mr. WHITAKER might state, on the part of the Government, that inquiry would be made at once.

LAWRENCE FOOT-BRIDGE.

Mr. J. C. BROWN asked the Minister for Public Works, If the Government will contribute the sum of £100 for the erection of a foot-bridge over the railway cutting, Wetherstone's Road, town of Lawrence, conditionally on the Corporation of that town paying any extra cost that may be required to finish the same and the approaches thereto?

Mr. RICHARDSON replied that the Government were not prepared to contribute £100 towards this object. They would, however, be prepared to consider an application for £50, if the authorities in Lawrence would find the balance.

ALEXANDRA TO WAIKAIA ROAD.

Mr. PYKE asked the Government, Whether any provision has been made on the current estimates for the Province of Otago for the construction of the road from Alexandra to Waikaiti Bush; and, if so, whether the same will be proceeded with forthwith? He might state, for the information of the Minister for Public Works, that this work was placed on the last Appropriation Ordinance passed by the Provincial Council of Otago; and the people in the district were very anxious to know whether any provision for this road had been made in the estimates sent up for approval by the General Government. He trusted he would receive a favourable reply.

Major ATKINSON said he had not gone through the provincial estimates yet, and was unable to inform the honorable gentleman whether the item referred to was included or not. He would communicate with the provincial authorities upon the subject.

Mr. PYKE might state that this road connected a large mining district and timber district, and the miners depended solely upon this timber district for carrying on their operations.

WELLINGTON SHEEP FUND ACCOUNT.

Mr. ANDREW asked the Premier, Whether it is the intention of the Government to secure, for the purposes for which it was raised, the balance of the Sheep Fund Account of the Province of Wellington, in accordance with the Sheep Ordinance of that province? He might state that there was standing on the books of the province a sum to the credit of the Sheep Account which had been raised from sheep-owners. Under the provisions of the Sheep Ordinance, this sum was specially set apart for the purpose of carrying out the provisions of the Act for the eradication and prevention of scab. He asked this question in order to call the attention of the Government to the fact that the sum which appeared in the Provincial Account was not an asset of the province, but was really an asset for the purpose for which it was raised, and he trusted they would see that it was not swallowed up for general purposes.

Major ATKINSON would be very glad to look into the matter as soon as it became his duty to do so. He would point out that if this was a real asset, and if there had been a separate account and cash set apart for the purpose stated,

the money would undoubtedly be applied to that purpose; but if it was a mere matter of account, and there was no money to meet it, it would be the duty of the House to consider whether it would provide for the payment or not.

NGAPUHI PETITION.

Mr. SHEEHAN would ask the Government without notice whether they were prepared to give effect to the prayer of the petition from the Ngapuhi tribe, which had been reported upon by the Petitions Committee. On the first point referred to in the petition, having reference to the jury law, the Committee reported that in their opinion the Government would do well to exercise the power of issuing regulations for framing Maori jury lists, so as to enable Maoris to sit as jurors on cases where the Natives were concerned. The second point had reference to the issue of powder to the Natives for sporting purposes. He thought it was a pity that the restriction should be maintained. Complaints had come from districts where the Natives were loyal, and they felt that the restriction should only apply to tribes that had been in rebellion. He would ask the Government whether they would make some modification in the law with respect to the sale of powder to loyal Natives.

Major ATKINSON said that the Government would look into the question relating to the jury laws. He was not prepared to make any absolute promise with regard to the other point raised, as it was one of very considerable importance. His honorable friend the Native Minister had pointed out the very great difficulties that surrounded the whole question of relaxing the Arms Act. If it were relaxed in one part, it would have to be relaxed all over the colony. His honorable friend the member for Rodney knew the intimate connection which existed between the various tribes; and that, if the restriction were removed in respect of one particular tribe, the same thing would have to be done throughout the colony. He was afraid that both the Europeans and Natives would have to submit to the inconvenience for some time longer.

Mr. ANDREW might be allowed to say that, from his own experience, the prohibition of the sale of powder to the Natives was inoperative to a great extent for the purpose for which the Act was intended. He knew that, when the Native war was raging, the Europeans found it to be easier to buy powder from the Natives themselves than in the regular course.

WASTE LANDS BILL.

Major ATKINSON brought up the report of the Conference on this Bill, which was read.

Major ATKINSON moved that the report be agreed to.

Mr. PYKE was not going to raise any objection to the motion at that late period of the session. The amendments made by the Legislative Council would cause great confusion and discontent in Otago. There were a large number of young men in the province acquainted with agricultural and pastoral pursuits. Those men were waiting to see whether facilities would

be given to them to remain in the country where they were born, or whether they would have to go to another country to find scope for their energies. The leases of the runs would soon fall in, and, unless some provision were made to meet the emergency, he positively declared that the greater part of the Province of Otago would remain uninhabited and an uncultivated wilderness for many years. He trusted that next year a more sensible and conciliatory spirit would prevail in the other branch of the Legislature.

Mr. SHEEHAN said that what had been done was practically to leave the land laws in the different provinces untouched; and as the whole question of waste lands administration would be reviewed next session, he thought that, under the circumstances, the House should agree to the adoption of the report.

Mr. ROWE said he would not be discharging his duty to his constituents if he did not make a few remarks on this occasion. The Bill, in its present form, would be regarded by those whom he had the honor to represent as a calamity. He could not help referring to the inconsistent course which had been taken on this subject. Power had been given to the Government to give to a certain gentleman, who had lately arrived in New Zealand, one hundred thousand acres of land upon certain conditions, while there was no sympathy whatever for those who had been here for the last twenty or thirty years, and for the young men who had grown up in the colony. There was no sympathy for them, but there was sympathy for men who were thousands of miles away—a very strong sympathy indeed. Young men who had grown up in New Zealand, and who had been waiting for years and years in the expectation that the Government would make some provision to enable them to settle on the land, were disappointed. He could not but feel deeply on this matter, as he was in the position himself that he should have to go back to tell his own sons, "Find your positions elsewhere, for the gentlemen of New Zealand have no sympathy with you, and are determined to make no provision for you." It would be the darkest day that had ever come upon his constituents if this Bill were passed. Hopes would be disappointed that had existed for years; and an agitation would be set afoot for a reform in the constitution of the other branch of the Legislature—an agitation such as had never taken place upon that question before.

Mr. W. WOOD regarded the legislation of the latter part of the session as a direct and unmistakable attempt to raise up and foster a mushroom aristocracy in New Zealand, and to crush out the independent yeomanry of the country. It was beyond doubt that the exclusion of certain clauses from the Bill was an attempt on the part of the other branch of the Legislature to create a petty aristocracy, and to determine that the hills and valleys, the better part of New Zealand, should be occupied by cattle and sheep, and not by human beings. He should therefore consider it his duty plainly to inform his constituents of the tendency of such legislation; and he did not doubt that not only they,

but other constituencies, would view the matter in the same light, and would take steps to put an end to a system that was calculated to do great injury to the bulk of the population.

Sir G. GREY wished also to record his disapprobation of this Bill, and to reiterate his conviction that for the last five or six years lands belonging to the Crown in New Zealand, and the lands belonging to Natives which were administered by the Crown, had not been fairly administered with reference to the interests of the whole population. He believed that better days would come, and that grants and leases which had been unlawfully made would yet be opened up. He thought that ought to be done; and he believed that justice for the future, and retribution for the past, would be obtained by the inhabitants of New Zealand. He further believed that he would shortly find a band of earnest and resolute men working with him to attain that end, and that the evils which had been perpetrated in the past would be no longer permitted to exist.

Motion agreed to.

SARTORIS, DOWNE, AND OTHERS' CLAIMS BILL.

Major ATKINSON said he understood that the great objection that had been made to the passing of this Bill had arisen from an idea that a certain member of the House was likely to obtain a commission on the transaction, or on a certain portion of it. He believed that that honorable member was prepared to state distinctly to the House that he would not receive any fee or reward in connection with the matter. A further objection to the Bill was that, if the persons interested were able to pay a commission for carrying the Bill through, the Government should obtain the benefit of that commission; and he believed it was pretty generally agreed that, if £1,240 were taken off the claim, the award might then pass the House as it stood. With that view, he would again ask the House to agree to the amendments proposed by the Legislative Council; and if that were done, he would obtain a message from His Excellency submitting a new clause in effect taking off the amount he had named. If the House agreed to that, a great difficulty would be got rid of, the honor of the colony would be preserved, and a very unpleasant question would be finally settled. He would, therefore, ask leave to withdraw the motion on the Paper, and would propose the appointment of a Conference.

Sir G. GREY would like to ask whether the acceptance of the proposal would signify acquiescence on the part of the House in the proceedings the Government proposed to take.

Major ATKINSON said it would not signify acquiescence if the honorable gentleman did not acquiesce. He (Major Atkinson) was only carrying out what he understood to be the wish of the House in the matter.

Sir G. GREY said he should oppose every step in this transaction until a Select Committee was appointed to inquire into all the circumstances that had transpired in connection with it, and

until that Committee had reported upon the whole case. He thought the proposal of the Government only made the matter worse. It was quite clear now that there was an arrangement under which upwards of £1,200 was to be paid to secure the passage of this Bill; and that fact having come to the knowledge of the House, they could not, with justice to themselves or to the people they represented, take any further steps in the matter until full inquiry had been made into the subject.

Mr. BRANDON thought a great injustice would be done to the claimants if the matter were further delayed. The House had an acknowledgment from the Government that they were indebted to the claimants in a large sum, and that claim ought to be recognized. He did not know what arrangement existed between the claimants and the honorable member for New Plymouth, but it possibly amounted to nothing more than a recognition of his services during the past ten or eleven years. It would be mere justice to the claimants that the Bill should be passed, and he hoped no further obstruction would be resorted to.

Mr. MURRAY said the proposal of the Government did not clear up the difficulty in the case. The honorable member for Grey and Bell might have acted in a strictly honorable way, but it was plain to him that an attempt had been made to tamper with a member of the House. It was not a question which the House should deal with on the last day of the session. He trusted the House, whatever might be the necessity for doing justice towards these people, would not sanction any interference with its free and deliberate proceedings. He would support the honorable member for the Thames in whatever course he might take to prevent this matter being dealt with until it had been thoroughly investigated.

Mr. LARNACH said the last action of the Government made the matter still more suspicious, and confirmed him in the impression that there was something else behind the scenes of which the House should be informed. He would therefore support the honorable member for the Thames. When the claimants made a demand upon the Government, neither the Select Committee nor the House was prepared to learn that they were ready to accept so large a reduction as 10 per cent. on the claim. It was therefore necessary that the matter should be further investigated.

Mr. WAKEFIELD moved the adjournment of the debate. He felt satisfied that the debate would last all day if it were continued at that time, and no conclusion would be arrived at. There was no doubt that the disclosures made with regard to the commissions offered if not accepted by a member of the House had altogether changed the minds of honorable members in regard to the whole of the Sartoris and Downe matter. He was a strong supporter of these claims, and was always ready to support the Bill when it came before the House; but if he had had the knowledge he now possessed, he

would have gone in a different direction. He thought the House was perfectly justified, even at that point of the session, in allowing the matter to stand over until next year. If it were afterwards found that there was anything wrong in the affair, and that the country had been deprived of a large sum of money, the House would deeply regret that it had taken any action in the matter.

Mr. PEAROE thought, if the debate were adjourned, a great wrong would be done to the parties interested; and he believed, further, that the House was not acting very wisely in not accepting any reduction of the claims made. He was not aware that any one interested in the claims had offered any commission at all; and the adjournment of the debate would necessarily shelve the Bill for the present session, without any good reason being brought before the House. By that course, injury might be done to innocent parties; and he thought the honor of the colony demanded that the House should carry out the recommendation of the Committee.

Mr. SHEEHAN would vote for the adjournment of the debate, unless the Government would accede to the appointment of a Committee to take evidence on oath as to whether any commission had been offered to a member of the House. The honorable member for Grey and Bell had put himself in a wrong position by not giving a distinct statement in reply to the frequent questions that were put to him; and if the Bill now fell through, it would be solely in consequence of his fault. If a Committee were at once appointed, and sat that afternoon, and took evidence, it could report to the House in the evening, and the matter might then easily be settled.

Sir R. DOUGLAS said there were two sides to the question. The honorable member for Grey and Bell might give his version of the case, but the House should also be able to examine Captain Borrer. If they could examine that gentleman, he would agree that what the honorable member for Rodney proposed would be the right course; but to examine one side only was absurd. He was placed in a very difficult position. He thought the House should guard its honor as jealously as possible; but he thought also that they would be doing very wrong if this money were not paid, as it had been proved that it was due. He would like the Government to give the House some information on the subject.

Major ATKINSON would like to know on what point the honorable gentleman desired information.

Sir R. DOUGLAS said the House had decided that there was a claim against the colony; but it appeared that, since that decision had been come to, a certain gentleman had offered a commission to a member of the House if the Bill were passed. The point was: Did the Government believe that that commission had been offered? Could they say from their personal knowledge that such a commission had not been offered? If the Government said they believed that no such commission had been offered, he would

vote for the Bill; but if they could not give such an assurance, he would vote for the adjournment of the debate.

Major ATKINSON said the honorable member for Grey and Bell had for the last twenty or thirty years been agent for the estates of these claimants, had done a great deal of work for them, and spent much money in prosecuting their claims. There could, therefore, be no doubt whatever that he would expect a reasonable sum of money to reimburse him for the expenses he had been put to. Whether a direct promise had ever been made or not, he did not know, and was not in a position to say; but he had heard, the House knew, and the honorable gentleman had frequently informed the House, that he was agent for those persons; and no doubt he had always understood that he would receive the ordinary percentage on such transactions. That, however, seemed to him (Major Atkinson) to be entirely beside the question at issue, which was, Does the colony owe these gentlemen a certain amount of money for land purchased many years ago? He had always contended that the colony did not owe the money, and that these persons had no claim whatever.

Mr. SPEAKER must call the honorable member's attention to the fact that the question before the House was the adjournment of the debate. If the main question was debated at that stage, he could only say that there would be a loss of time, and a repetition of the discussion. He was exceedingly sorry to have to interrupt the honorable gentleman, but he felt it his duty to point that out to the House.

Major ATKINSON bowed to Mr. Speaker's ruling. He was only endeavouring to give information to the House.

Mr. W. WOOD said it appeared to him that, if an honorable member of the House had acted as agent for this estate for twenty or thirty years, and if he was entitled to any consideration for the services rendered, he would, in the usual way, have received that payment. If, however, payment was to be made contingent upon success being attendant upon the passage of this Bill, then it took very much more the character of a payment to a member of the House for services as a member, than that of payment for services as agent.

Mr. SPEAKER said the honorable gentleman must see that, having checked one honorable member, it was his duty to call attention to the fact that the question before the House was the adjournment of the debate, and that all remarks must be confined, as nearly as possible, to giving reasons why the debate should be adjourned.

Mr. W. WOOD would only make one more remark. He would support the adjournment of the debate; and if it were attended with the result that the matter was shelved for another year, he thought no great harm would be done. If it should then prove the claim was good, and the claimants had not been guilty of corrupt practices, the House would grant them what was just. But if, on the other hand, it turned out that they had

attempted some corrupt practices, the House would be in a better position to deal out justice to them.

Sir R. DOUGLAS would like to ask one direct question.

Mr. SPEAKER pointed out that the honorable member had already spoken in the debate.

Sir R. DOUGLAS said in that case he must leave the House, as he had not sufficient information to warrant his voting.

Sir G. GREY thought the debate should be adjourned. The Premier, in his speech, had shown that it ought to be adjourned. That honorable gentleman said he was not acting on his own conviction, but was carrying out the direction of the House.

Major ATKINSON.—What I said was merely fragmentary. I was checked by Mr. Speaker before I had concluded speaking.

Mr. SPEAKER said that, having checked the Premier in the middle of his speech, it would not be right to take that speech as a complete one, and one on which the honorable member for the Thames could frame an argument.

Sir G. GREY said it was not the speech that Mr. Speaker had interrupted, but a previous speech. The Premier told the House distinctly that in this case he was not acting as leader of the House, but was carrying out the direction of the House.

Mr. SPEAKER said the honorable member for the Thames would see that he was endeavouring to enforce the usage of Parliament, and it was contrary to usage to refer to a former debate. He must ask the honorable member to confine his remarks to giving reasons why the debate should be adjourned.

Sir G. GREY said the speech to which he was referring was delivered only about five minutes previously. He contended that, a great question of this kind having arisen, a full House ought to be present to decide it. In common with other honorable gentlemen, he thought this was not a question of payment to an agent, but of payment to be made to a member upon success being obtained in Parliament. If honorable members heard that in any other Legislature of any other country such a transaction took place, they would feel excessively surprised. The Government ought to adhere to what he understood to be their intention on the previous day, to allow the matter to stand over till next session. If he had not understood that such was the case, he would have pressed his opposition yesterday. He hoped the House would allow the debate to be adjourned, in order that this important question might be considered next session, when a large number of members would be present.

Mr. MURRAY said the best solution would be to adjourn the debate, for this reason: A very grave charge had been made, and he did not think the House was in a position, so late in the session, to determine it. The proposal of the honorable member who moved the adjournment of the debate in order that a Committee should be appointed might to some extent tend to clear

up the charge against the honorable member for Grey and Bell. He (Mr. Murray) did not believe that honorable gentleman was at all compromised in this matter. He believed the offer was made by the parties to that honorable member, but he had not accepted it. There still remained this fact: that an attempt had been made to tamper with the independence of the House. If a proposal had been made that the honorable gentleman should go shares in anything obtained from the House, he would be placed in the position of a lawyer agreeing to receive payment in the event of gaining his case. Such an agreement was highly objectionable in a lawyer, but would be still more so in the case of a member of Parliament. He hoped, therefore, the debate would be adjourned. If necessary, a Committee could be appointed; but he did not think, at so late a period of the session, it would result in any good.

Mr. FITZROY hoped the debate would not be adjourned, but that justice would be done in the case. He thought a great injustice would be done to the claimants if the Bill were not passed this session, for they had been kept out of the interest on their money for a great many years. He hoped the House would carry out the order it had made on a previous occasion.

Mr. LARNAOH would support the adjournment of the debate. If there had been any understanding between the claimants and any member of that House that commission should be paid to that member, then the claimants had misled the House and the Committee. He felt very sore on the point, and would support the postponement of the matter altogether until next session.

Mr. HUNTER trusted the debate would not be adjourned. A great injustice would be done to the claimants if the question were not settled this session.

Question put, "That the debate be adjourned," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	14

Majority against	...	...	...	1
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AYES.

Mr. Barff,	Mr. Tawiti,
Sir G. Grey,	Mr. Tole,
Mr. Henry,	Mr. Tribe,
Mr. Manders,	Mr. W. Wood.
Mr. Murray,	<i>Tellers.</i>
Mr. Nahe,	Mr. Larnach,
Mr. Sheehan,	Mr. Wakefield.

NOES.

Mr. Andrew,	Mr. Pearce,
Major Atkinson,	Mr. Pyke,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Whitaker.
Mr. Curtis,	<i>Tellers.</i>
Mr. Gibbs,	Mr. Fitzroy,
Mr. Kelly,	Mr. Hunter.
Mr. G. McLean,	

The motion for the adjournment of the debate was consequently negatived.

The debate was subsequently adjourned for one week.

BUSINESS OF THE SESSION.

Mr. SPEAKER laid on the table the following return of business transacted during the session:—

1. NEW WRITS ISSUED—		
During the Session of 1876	...	2
Returns to Writs amended	...	2
2. SELECT COMMITTEES—		
On Public Matters	...	10
On Election Petitions	...	3
	—	13
3. STANDING COMMITTEES	...	10
Ditto on Private Bills	...	3
	—	13
4. PUBLIC BILLS—		
Originated in the House—		
Received the Royal Assent	...	34
Reserved for the signification of Her Majesty's pleasure	...	0
Dropped or otherwise disposed of	...	71
Awaiting the Royal Assent	...	55
Pending before Conference	...	2
	—	163
Brought from Council—		
Received the Royal Assent	...	9
Reserved for the signification of Her Majesty's pleasure	...	0
Dropped or otherwise disposed of	...	7
Awaiting the Royal Assent	...	4
	—	20
	—	183
5. PRIVATE BILLS—		
Originated in the House—		
Received the Royal Assent	...	1
Dropped or otherwise disposed of	...	1
	—	2
6. PETITIONS RECEIVED	...	305
7. DIVISIONS—		
In the whole House	...	190
In Committee	...	155
	—	345
8. SITTINGS—		
Days of Meetings	...	85
	X. M.	
Hours of Sitting before Midnight	...	698 40
Hours of Sitting after "	...	155 30
Daily Average	...	10 28
9. VOTES AND PROCEEDINGS—		
Questions asked of Ministers	...	260
Entries in Journals—		
Of Notices of Motion	...	238
Of Orders of the Day	...	535
	—	1,013
Daily Average	...	12
10. ORDERS FOR PAPERS	...	54
11. ADDRESSES	...	2
12. PAPERS LAID UPON THE TABLE—		
By Command	...	111
In Return to Orders	...	47
By Act	...	7
By Leave	...	23
	—	187
13. REPORTS FROM SELECT COMMITTEES—		
From the Committee on Public Petitions	...	227
From the Committee on Native Affairs	...	70
From other Select Committees	...	6
From Standing Committees	...	48
	—	345

PROROGATION.

A message was brought by Leonard Stowe, Esq.,

Clerk of the Legislative Council, to the following effect :—"The Commissioners appointed by His Excellency the Governor to do all things in his name in order to the proroguing of this Parliament, request the attendance in the Legislative Council Chamber of the members of this honorable House, to hear the Commission read."

Accordingly the House, with the Clerk, went to the Legislative Council Chamber; and a Commission was read for the proroguing of Parliament.

The Hon. Sir J. L. O. RICHARDSON, Speaker of the Legislative Council, and one of the Commissioners, said,—By virtue of His Excellency's Commission under the seals of the colony to us directed and read, we do, in His Excellency's name, and in obedience to his command, prorogue this Parliament to the 16th day of January, 1877; and this Parliament is prorogued accordingly to Tuesday, the 16th day of January, 1877.

END OF TWENTY-THIRD VOLUME.



